the terms of the 14th amendment of which Stephen Girard never heard tell.

This argument got nowhere in Pennsylvania—at any rate in the State's law courts—for the Pennsylvania Supreme Court turned it down on what most people would describe as the reasonable ground that the late Mr. Girard had a right to will away his money as he chose, and that you couldn't safely go around upsetting wills simply because they didn't suit pressure groups which turned up a hundred years after the wills were made.

That seemed to settle it to the satisfaction of all except a group of ambitious politicians.

This group took the Girard case into the Federal courts and it is painful to record that the mayor of Philadelphia and the Governor of Pennsylvania, far from resisting the efforts to upset a will of which they were supposed to be trustees, actually joined the movement to set it aside.

The real question, of course, was and is—"If a trustee happens to be an official of a city or State, when he acts as a trustee is he acting as the agent of the maker of the trust or is he acting as the agent of the State?" When one considers that no public funds were involved in the Girard College case, but the entire $100 million now in the fund are private funds, it seems that the answer to the question should be obvious.

A few miles down the pike from Girard in Pennsylvania is little Haverford College, a 125-year-old Quaker school. Haverford has been wrestling with the problem of whether or not to accept a grant of Defense Department funds for research in organic chemistry. However, Haverford discriminates. It discriminates on the basis of sex and, to a degree, religion.

So the question is, If Haverford accepts Federal money for research, does the Government—on the theory of public interest similar to the Girard case—have the power to stop any discrimination in favor of male Quaker students?

Such well-known private schools as Harvard, Yale, Princeton, Dartmouth, Notre Dame, California Institute of Technology, Case Institute of Cleveland, and others are further examples of schools outside the Deep South which practice some degree of discrimination based on either sex or religion, and which are apt to have formal relationships with Government from time to time.

Are their scholastic and administrative policies subject to the 14th amendment?

Then there is Tuskegee Institute, founded in 1880 by that great Negro leader, Booker T. Washington, for Negroes, not to mention Hampton Institute, founded in 1868 by the American Missionary Society for Negroes and Indians.

There are hundreds of privately endowed colleges, universities, charitable organizations, and foundations which include public officials on their board of trustees, ex officio; many are wholly or partially exempt from taxation. Would not a home for aged and infirm Baptists ipso facto discriminate against aged and infirm Episcopalians, and on religious grounds to boot?

Here is another facet to the Girard ruling: Could it be extended to private institutions or services other than educational ones? Could it, for example, be extended to cases where the State licenses an essential service such as those provided by doctors, lawyers, pharmacists, architects, engineers, etc.?

Maybe this sounds remote. However, in a California lawsuit decided a few weeks ago, a Negro brought a suit against a Los Angeles dentist who had refused to treat him because of his race. The plaintiff had argued that the dentist, as a publicly licensed practitioner of an essential service, was prohibited by constitutional principles from refusing to accept him as a patient.

While the California court ruled for the dentist, it did so at least partly in deference to the traditional reluctance of the courts to interfere with the doctor-patient relationship.

The point is that the question has been raised and has actually gone to court. The argument has been made. In future cases of this kind, the apparent public interest doctrine of the Girard College case might be advanced in an effort to strengthen that argument.

I have no doubt that Girard College will welcome Negro boys since it is required to accept them. But when courts undertake to decide issues which ought to be decided by the people and their elected representatives, confusion and conflict are inevitable.

If it is necessary to imperil the whole institution of inheritance in order to accommodate perhaps two dozen Negro boys in a privately endowed school, why not let the State legislature do it? In such circumstances the citizens would at least have an opportunity to learn what the issue was. If they decided to go ahead with the wrecking anyway, nobody could say, as a good many people are beginning to say, that the threat to our institutions is less from the Communists than from a Supreme Court so dedicated to sociology as to be startlingly indifferent to constitutional tradition.

Under our Constitution, our forefathers most wisely provided in substance that, except as specifically provided, the powers of the sovereignty of the States were reserved to the States.

The question which I would like to leave with you is, "How far, and what is the purpose, of some of these decisions which would destroy the sovereignty of our States and set up in place of our historical system of divided sovereignty a monolithic omnipotent central government?"

Hitler said that his first 2 years in office were consumed in breaking down the power of the separate German States so that Germany could be governed effectively from Berlin to establish national socialism.

There is much justifiable concern that the original American constitutional system has been impaired in three ways:

1. By Executive usurpation of power.
2. By congressional abdication of power.
3. By decisions of the Supreme Court which alter the meaning of the Constitution.

Day before yesterday I was visiting with a former president of the American Bar Association. Of course I was proud to advise him that I was going to speak to the lawyers of Minnesota today. When I gave him a brief outline of what I was going to talk about, he said, "I hope you will tell the lawyers of Minnesota of my own concern over the trend of the decisions of our United States Supreme Court."

He said further, "I hope you will tell the lawyers of Minnesota that I am fearful of the weakness of lawyers in not standing up for what are important principles, not only of our Constitution but the matter of appointment of judges."

For example, he said, "I will say to a member of the bar 'are you in favor of so-and-so for a Federal judgeship?' The lawyers will say, 'Heavens no.' Then I will say, 'Well, come along with me and oppose the appointment.' The lawyer will usually say, 'Oh, I can't do that, I may have a case before him.' And the man gets the appointment."

It is trite to say that eternal vigilance is the price of liberty.

The right is one which rests with every citizen—it is not just the responsibility of Congress or the executive or the judiciary. It is as inherent in the individual and the collective membership of this bar association. If you are vacillating, indifferent, or without courage, then the greatest Republic in the history of the world will fall, not from its enemies without but from its enemies within.

SENATE

WEDNESDAY, JULY 3, 1957

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Lord God, who knowest the burdens we bear, the tasks we face, and the problems which confront us: Grant us, we pray, the royalty of inward content which comes only from uncompromising personal integrity and the calm composure which is the reward of doing always the things which please Thee. So let the spirit of joyous service dwell in our hearts, that we may carry about the infection of a good courage, meeting all life's tests with gallant-hearted devotion and dedication to the highest. As in Thy name we contend against the vile treacheries which today foul the earth and enslave Thy children, make us the kind of persons fit to be the defenders of the regal and precious things which ennoble life and crown it with glory. In the Redeemer's name we ask it. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the Journal of the proceedings of Tuesday, July 2, 1957, was approved, and its reading was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 749. An act for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama); and

S. 1799. An act to facilitate the payment of Government checks, and for other purposes.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1259. An act to clear the title to certain Indian land;

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh;

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Aieles;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Tavarez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 4986. An act for the relief of the widow and children of John E. Donahue;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, in which it requested the concurrence of the Senate.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions were severally read twice by their titles and referred, as indicated:

H. R. 1259. An act to clear the title to certain Indian land; and

H. R. 1826. An act to authorize the sale of certain lands of the United States in Wyoming to Bud E. Burnaugh; to the Committee on Interior and Insular Affairs.

H. R. 1339. An act for the relief of the Malowney Real Estate Co., Inc.;

H. R. 1424. An act for the relief of Sylvia Ottila Tenyi;

H. R. 1473. An act for the relief of Richardson Corp.;

H. R. 1677. An act for the relief of Gilbert B. Mar;

H. R. 1695. An act for the relief of Harry N. Duff;

H. R. 2674. An act for the relief of Morris B. Wallach;

H. R. 2752. An act for the relief of Frank A. Simmons;

H. R. 3344. An act for the relief of Kenneth F. Ailes;

H. R. 3720. An act for the relief of Carl J. Warneke;

H. R. 4335. An act for the relief of Ramon Taverez;

H. R. 4768. An act to quiet title and possession with respect to certain real property in the county of San Jacinto, Tex., and authorizing named parties to bring suit for title and possession of same;

H. R. 5288. An act for the relief of Orville G. Everett and Mrs. Agnes H. Everett;

H. R. 5365. An act for the relief of Robert B. Peterman;

H. R. 6528. An act for the relief of Mrs. Lyman C. Murphey;

H. R. 6530. An act for the relief of Arthur L. Bornstein;

H. R. 6664. An act for the relief of Raymond R. Sanders Van Service;

H. R. 6961. An act for the relief of Walter H. Berry;

H. J. Res. 339. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 367. Joint resolution to waive certain provisions of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens;

H. J. Res. 368. Joint resolution for the relief of certain aliens; and

H. J. Res. 373. Joint resolution to facilitate the admission into the United States of certain aliens; to the Committee on the Judiciary.

H. R. 2259. An act to provide for the conveyance of all right, title, and interest of the United States to certain real property in Prairie County, Ark.; to the Committee on Agriculture and Forestry.

H. R. 4986. An act for the relief of the widow and children of John E. Donahue; to the Committee on Post Office and Civil Service.

HOUSE CONCURRENT RESOLUTION REFERRED

The concurrent resolution (H. Con. Res. 194) granting permanent residence to certain aliens, was referred to the Committee on the Judiciary, as follows:

Resolved by the House of Representatives (the Senate concurring), That the Congress approve the granting of the status of permanent residence in the case of each alien hereinafter named, in which case the Attorney General has determined that such alien is qualified under the provisions of section 6 of the Refugee Relief Act of 1953, as amended (67 Stat. 403; 68 Stat. 1044):

A-8155735, Aikler, Mirko alias Emilio Federico Aikler.
A-10170961, Apanowicz, Boleslaw.
A-10035418, Balodis, Marija.
A-9825049, Bonk, Pawel Frank or Paul Bonk.
0300-462272, Chang, George Teh-Lai.
A-8888549, Chang, Sen Dou.
A-9694446, Chang, You Ding also known as Ah Za Wang.
A-8205758, Chao, Beatrice Jung-Chuan.
A-6694109, Chen, Chi Ta.
A-6851660, Chen, Joseph Yeh also known as Chang Bao Chen.
A-7202753, Cheng, Liang.
A-8103705, Chi, Li.
A-6457533, Chin, Ming Liang.
V-184674, Choy, Shih Hung.
A-7439685, Choy, Shew Ming Elp.
A-7835335, Ding, Joan Jo-An.
A-7274682, Dunn, Sally Sung-Lih.
A-8933695, Gay, Ng Seow or Manuel Kaua.
A-7388015, Hildeshaim, Mojsze.
A-8846028, Hildeshaim, Ita.
A-8938343, Huang, May Sze-Chin.
E-094444, Kai, Choung.
A-6954733, Kao, Hsiang-Sung.
A-8960635, Kao, Li-Nan Kwan.
A-9694263, Kilt, Low Ah.
A-6026549, King, Hsien Tsu.
T-1613805, King, Eosin Chu.
T-1613806, King, Linda.
A-10170902, Kolumbic, Vjekoslav.
A-10170901, Kolumbic, Stanislav.
A-7366623, Ku, Feng Shen.
A-9804796, Lau, Foo Kwai.
A-2201853, Lee, John Koo.
A-8891582, Lee, Ronald Shao Nan, also known as Shao Nan Lee.
A-10130368, Li, Thomas Chang-Jen.
A-9709772, Low, You, or Low Yow, or Low Cheu.
A-8310804, Lusik, Valev Valentin.
0300-301304, Maerz, Alla.
E-094647, Nee, Fred, also known as Nee Kao Hong.
A-8956186, Pettersson, Sing Ye, also known as Sadie Sing Yee Pettersson (nee Romahn), (nee Wong), Sing Yee.
A-9562348, Que, Cheng Sim.
A-9825046, Reichel, Stefan.
A-9542507, Siew, Wong.
A-8055441, Stark, Simon.
A-10052787, Sun, Chi Fong Tyen.
A-10060432, Sun, Eeh-John.
A-7243268, Svagna, Silvo.
0300-457385, Tan, Annie Hsu.
A-7277350, Tang, Edward Yau Chien, formerly Wau Chien Tang.
A-7143030, Tawil, Esther.
A-6694206, Teng, Celia, or Celia Hsi-Lee Tseng, or Celia Marie Teng.
A-7462147, Wu, Edith Hsiu-Hwei.
A-6699876, Wu, Irene Hsueh.
A-6986541, Yu, Alex Shih-Ge.
A-10465773, Yung, Nee Shu.
A-10465771, Ming, Wen Lyna Hsu.
A-7882493, Yung, Richard Chih Shin.
E-084466, Chang, Ming Wah.
A-7174560, Chen, Ming Li.
A-7274978, Chu, David Bao-Shan.
A-10436781, Chu, Foong Nan.
A-7141139, Hsu, Immanuel C. Y. also known as Chung Yueh Hsu.
A-7118843, Huang, Siu-Lien.
0300-401127, Kai, Chan.
A-9562508, Kwee, Wah Kia.
A-7837182,Liu, Hsing Yueh (Fred).
A-6848619, Sun, Hen Teh.
A-6967368, Tao, Samuel Shao also known as Shao Ming Tao.
A-7096300, Tso, Chih Hui or Sister Mary Evangelist Tso.
A-6848002, Wang, Julia (nee Julia Chin Yun Ho).
A-7356395, Geng, George Yuen-Hsioh.
A-10085249, Hsia, Chen.
173/427, Keung, Liu Chung.
A-8996626, Kolumbiç, Kresimir.
173/426, Liu, Suey Har Lee.
173/428, Liu, Boy Foon (Betty).
173/429, Liu, Dung Koon (John).
173/430, Liu, Dung Non (Billy).
0300-288731, Liao, Suzanne also known as Liao Kia-Pao.
A-10060260, Libe, Kalju.
A-7279631, Paszternak, Riza.
A-8000633, Shannir, Kasim Ismail.
0300-467737, Tsing, Min-Ye.
0300-346587, Tsing, Su-Tsen.
A-6258475, Wang, James Chia-Fang.
0300-458459, Yang, Helen Cheng Chao.
0300-468334, Yen, Grace Chuin Ying.
0300-468322, Yen, Alice Hua Ying.
A-0946127, Yen, Yang-Chu James.
0300-459487, Behrs, Amalie formerly Amalie Kiviranna (nee Amalie Pavel).
A-10087975, Chien, Pien Kiang.
A-9783058, Chin, Chi Tien.
A-1693463, Fan, Paul Hsiu Tsu.
A-1003405, Fan, Joyce Sik-Ho Wang.
A-7396740, Hsu, David Pin.
A-7444631, Lee, Lester Shin Pei.
0300-462434, Liang, Maisie Mei-Hsi.
A-6703208, Lin, Sping.
A-7606419, Liu (Vera), Hsi Yen (nee Wong-Quincey).
A-6271443, Liu, Vi Cheng.
A-9825070, Luzny, George.
A-7286973, Mui, Daniel Fook Kee.
A-9825053, Pustulka, Boleslaw.
A-7805943, Shane, Catherine Yen (nee Shih-Ping Yen).
A-10401836, Sheng, Hung Tao.
A-9825073, Sokolowski, Witold Stanislaw.
A-7967355, Sung, Zei Ling.
A-8038957, Sung, Chi Wha (Gladys).

A–8038959, Sung, Chi Ming (Mary).
A–8038960, Sung, Chi Chang (John).
A–8132662, Sung, Chi Tak (James).
A–8038958, Sung, Chi Ching (Thomas).
A–10188700, Sung, Chi Kwan (William).
A–9825136, Trykowski, Jan Zygmunt.
A–828556, Wai, Angli.
E–118826, Wai, Fong Yok also known as Yok Wai Fong, Fong Yok Square.
A–9669272, Wee, Foo Kia.
A–8190602, Wee, Lee Sung.
A–7417146, Yang, Ah Poa.
A–10237804, Yee, Lee.
A–10088693, Yip, Kiu or Yip Kiu also known as Wing Yip.
A–6940537, Bailey, Flower also known as Te Ling Chang and Chang Te Ling.
A–7190921, Cerny, Helena.
0300–371967, Chao, Tsung-Hu Lee also known as Polly Tsung-Hu Lee Chao.
0300–381266, Chao, Grace Yao-Ping.
0300–371975, Chao, Faith Yao-Yu.
0300–371968, Chao, George Yao-Tung.
A–8103763, Cheng, Helen formerly Helen Mien-Mien Yu.
A6847996, Cheng, Lu I.
A–7952707, Genger, Josef.
A–6503242, Grabie, Majer.
A–7292660, Grabie, Mariasza or Masha.
A–7292661, Grabie, Morris or Mojsze Towia.
A–6405954, Hsu, Eugene (Ting Chen).
A–7057890, Hsu, Kenneth Jing-Hwa.
A–7092721, Laing, Yung also known as Laing Yung.
A–10073320, Lee, Dong Sep.
V–1505818, Ng, Seid Young also known as Wu, Seid Young also known as Wu, Chung Poh.
A–10138853, Sang, Mon Loy alias Wen Lai Sung.
A–9015504, Seng, Foo Ah.
A–9094621, Sung, Woo Chen.
A–6848699, Tang, Philip Jen-Chien.
0300–461961, Wang, Eleanor Bei-Lee.
A–7386139, Wang, Samuel Chia-Cheng.
A–9634988, Wee, Lee Sung.
A–6500397, Berger, Herman also known as Mikulas Federweisz.
A–7367968, Berger, Kalman.
A–6396664, Chen, Wen-Chao.
A–6845070, Chen, Mary Lilia (Ch'un Jen), (nee Chao).
A–9634307, Juat, Tan Chin.
A–6953077, Langer, Abraham Leopold.
V–885058, Li, Hsien-Kuan Hugo.
V–885059, King, Wei-Lien.
T–357493, Lee, Barbara (Bei Bei).
0300–469349, Li, Tsung Jen.
A–10245429, Li, Teh-Chieh Kuo also known as Tah-Chieh Kuo.
A–10245428, Li, Jackson also known as Jee Sen Li.
A–6848144, Loh, Yu-Cheng also known as Eugene Loh.
A–8015357, Moh, Jim or James Chin.
A–10210252, Pao, Peter Sien-Kwei or Sien Kwei Pao.
A–2023266, Suksdorf, Juri Johannes.
A–6404843, Tsai, Wu.
A–9825090, Witkowski, Stanislaw.
0300–376850, Yen, Flora Chow.
A–7248479, Ching, Tao Pu.
A–9825103, Cielenkiewicz, Ryszard Emil.
A–10077721, Hop, Leung or Long Hop.
A–4949822, Ing, Wen Pei.
A–6171332, Mo, Sung Shen.
A–6448785, Mo, Chen Wei.
E–094520, Ng, Hing also known as Wu Yu Wah.
A–8091377, Pyn, Lee also known as Lee Ping.
A–8893285, Yen, Esther Kwang Tzu.
A–6806304, Yu, Shih-Cheng also known as Michael Shih-Cheng Yu.
A–6806306, Yu, Ya-Ming (nee Chai), also known as Lucia Ya-Ming Yu.
A–10625693, Chang, Fu Yun.
A–6848003, Chen, Yun Chieh or James Y. Chen.
A–7805944, Dao, Therese Tsu-Yin.
A–8055411, Dembitzer, David.
0400–58439, Huang, Yu-Kuan (Chen Ching Chen).
A–7988129, Jakobovits, Victor.
A–10130803, Kung, Edward Yen Chung.
A–7364794, Lee, William Wei-Yen (Li, Wei-Yen).
A–10075777, Liu, Ah Fong or Liu Ah Fong.
A–6847867, Loo, Shu Hsin or Mary Agnes Loo or Agnes Shu-Hsin Jen.
0300–461048, Lu, Nora Ellen.
0300–458294, Sze, Wu Fook.
A–6847791, Tung, Charles Pao-Chun also known as Tung Pao-Chun.
0300–78518, Wu, Lily also known as Yu Sue Wu also known as Oij Eng.
A–7028494, Wu, Judith also known as Teh Jean Wu.
A–8106443, Chao, Yung Lai.
A–8955828, Chu, Hai-Chou.
0300–433720, Huang, Wen Shan.
0300–456285, Huang, Lun Kun (nee Cheng).
0300–456286, Huang, Yen Fu.
A–10237798, Kalnins, Arvids Bruno.
A–6712043, Lam, Jean Lu.
A–7897506, Lebovits, Laszlo.
A–7274352, Lin, Chun Chia.
A–9825066, Lojewski, Czeslaw Bogdan.
A–7955278, Sun Zee Ah.
A–10060602, Tsing, Jan Sing.
A–7418206, Yang, Sam Yuan-Chen.
A–7805945, Wang, Helen, also known as Mary Helen Therese Want.
A–6624719, Wang, Shou Ling also known as Daniel Wang.
A–7835259, Wu, Grace Ho-Lan or Grace Wu.
A–10035417, Balodis, Paulis Voldemars.
A–10073947, Behrsin, Roman.
A–10353028, Chang Ta-Chung.
A–6848442, Chen, Shee-Ming or Chen Shee Ming.
A–7286660, Chung, Lynn.
A–8065296, Gabor, Robert alias Robert Goldstein.
A–8065297, Gabor, Elizabeth nee Fischer.
A–9825108, Jurkiewicz, Jerry formerly Jan Jerzy Jurkiewicz.
A–7560713, Koo, Hai-Chang Benjamin presently known as Benjamin Koo.
A–10075053, Lee, Esther Pei-Cheng Lim formerly known as Esther Pei-Cheng Lim.
A–6967296, Ma, Chen-Luan.
A–9825075, Ptaszynski, Kazimierz.
0300–466218, Sing, Charles also known as Wang Kao Chee also known as Wong Go Pse.
A–7319016, Stein, Stanley Marian.
E–118715, Taw, Ngiam Seng.
A–6448797, Wang, Philip Iching.
A–6975581, Yang, Thaddeus Wen-Hsien.
A–6855648, Yang, Grace Kwei-Ying (nee Liu).
A–7228327, Yung, Lydia Chih-Jui or Lydia Yung.
A–8847641, Dan, John Si-Kiang.
A–6142220, Hsu, Charlotte Chien.
A–8845236, Loo, Jen Wan (Marie) (nee Lee).
A–6818128, Lorincz, Jeno Eugene.
A–7364796, Muna, Nadeem Mitri.
A–10075751, Yin, Jen Ching or Charles Yin.
A–6967530, Zee, Chong Hung.
A–6224481, King, Gloria Euyang.
A–6958561, Fu, Florence Luan-Fei.
A–6849456, Hwang, Ming Chao.
A–8094862, Janoyan, Hagop Apraham.
A–6142216, Liu, Tse-Hsien.
0300–425930, Modzelewska, Jadwiga.
A–8106741, Modzelewski, Sgmunt Jan.
A–9029161, Nicolaou, Ion Dimitrios or John Nicolau.
A–9541479, Tani, Johannes.
A–10416361, Weinberg, Hersel formerly Zvi Weinberg.
A–9765919, Cecco, Frank or Francesco Cecco.
A–6986579, Yi, Shu Ping.
0300–426380, You, Wong.
A–8102693, Anabtawi, Samir Nazmi.
A–11048303, Chu, Ting Chi.
A–10237098, Chu, Grace Hsi.
A–7983212, Chu, Rosalind.
A–10394745, Chu, Constance Pamela.
A–10237100, Chu, Kay.
A–10257554, Kovacs, Imre.
A–10259309, Zmurek, Andre Michael.
A–8217527, Zmurkowa, Irena Helena nee Wasilkowska.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Permanent Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. MANSFIELD. Mr. President, under the rule there will be the usual morning hour, for the introduction of bills and the transaction of other routine business. In that connection, I ask unanimous consent that statements be limited to 3 minutes.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, and withdrawing the nominations of Mrs. Doris B. Duncan, to be postmaster at Skippers, Va., and Marjorie C. Mossman, to be postmaster at Hamburg, Ill., which nominating messages were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no reports of committees, the nominations on the calendar will be stated.

UNITED NATIONS

The Chief Clerk read the nomination of Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COUNCIL OF THE NORTH ATLANTIC TREATY ORGANIZATION

The Chief Clerk read the nomination of W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of Vinton Chapin, of New Hampshire,

to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Three letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF STATUS OF PERMANENT RESIDENCE TO CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Two joint resolutions of the Legislature of the State of Alabama; to the Committee on the Judiciary:

"Senate Joint Resolution 45

"Whereas the right of jury trial is subject to serious limitations in the district courts of the United States because the judges of such courts under present law may withdraw a case from the consideration of the jury upon a substantial evidence standard rather than upon the scintilla evidence standard of the common law and because the judges of such courts are free to comment to the jury upon the evidence in any case coming before them: Now, therefore, be it

"Resolved by the Senate of the State of Alabama (the House of Representatives concurring), That the Congress of the United States is hereby memorialized to enact legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them, and to enact legislation allowing the Federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law.

"The secretary of the senate is directed to transmit a copy of this resolution to the Presiding Officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution 45, by Mr. Davis (Pickens), adopted unanimously by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"Secretary of Senate."

"Senate Joint Resolution 47

"Be it resolved by the Senate of the Legislature of Alabama (the House of Representatives concurring)—

"1. That the Legislature of Alabama hereby petitions and memorializes the Congress of the United States to call a convention, pursuant to article V of the Constitution of the United States, for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the United States Constitution, which would alter the method of selecting Federal judges and fix for such judges a definite term of office.

"2. That the legislature of each of our sister States is urged to give the most serious consideration to the problems arising from the present method of selecting and tenure of office of Federal judges, and to petition the Congress of the United States to call a convention for the purpose of proposing amendments to section 2, article II, and section 1, article III, of the Constitution of the United States, so as to alter the present method of selecting Federal judges and to fix for such judges a definite term of office.

"3. That the secretary of the senate transmit duly authenticated copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Alabama delegation in Congress, and to the executive authority of each of our sister States for transmittal to its legislature.

"I hereby certify the above is a true, correct, and accurate copy of Senate Joint Resolution No. 47 by Mr. Davis (Pickens), adopted by the Legislature of Alabama, June 28, 1957.

"J. E. SPEIGHT,
"Secretary of Senate."

The petition of Julius Bauer, of Chicago, Ill., relating to governmental economy; to the Committee on Finance.

JOINT RESOLUTION OF OHIO LEGISLATURE

Mr. BRICKER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a joint resolution adopted on May 24, 1957, by the Ohio General Assembly, under which the Eastern Orthodox Church would be recognized as a major faith in the State of Ohio.

There being no objection, the joint resolution was referred to the Committee on the Judiciary, and, under the rule, ordered to be printed in the RECORD, as follows:

Joint resolution to recognize the Eastern Orthodox Church as a major faith in the State of Ohio

Whereas it has come to the attention of the members of the 102d General Assembly of Ohio that, whenever anything is said concerning the major faiths, usually only Protestants, Catholics, and Jews are referred to; and

Whereas the Eastern Orthodox Church is a major faith in the State of Ohio; and

Whereas the Eastern Orthodox Church, by reason of its long and illustrious history, should be included in the meaning of any reference to the major faiths: Therefore be it

Resolved, That the Eastern Orthodox Church is hereby recognized as a major faith in the State of Ohio, and all references to the major faiths by all media of communication shall be deemed to include the Eastern Orthodox Church; and be it further

Resolved, That the members of the 102d General Assembly of Ohio hereby adopt this resolution and cause a copy thereof to be spread upon the journal, and that the clerk of the senate transmit duly authenticated copies of this resolution to the Most Reverend Bishop Polyefktos of the sixth diocese, Greek archdiocese of North and South America, Rev. John Papdopoulos, Rev. George Hadjis, and Reverend Pappas, all of the Eastern Orthodox Church.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HENNINGS, from the Committee on Rules and Administration, without amendment:

S. J. Res. 103. Joint resolution to provide for the permanent preservation and proper display of the flag of liberation.

By Mr. HENNINGS, from the Committee on Rules and Administration, with amendments:

S. 2150. A bill to revise the Federal election laws, to prevent corrupt practices in Federal elections, and for other purposes.

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, without amendment:

S. 1773. A bill to validate a certain conveyance heretofore made by Central Pacific Railway Co., a corporation, and its lessee, Southern Pacific Co., a corporation, to the State of Nevada, involving certain portions of right-of-way in the city of Reno, county of Washoe, State of Nevada, acquired by the Central Pacific Co. under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356) (Rept. No. 577).

By Mr. BIBLE, from the Committee on Interior and Insular Affairs, with amendments.

S. 556. A bill to provide for the conveyance of certain real property of the United States situated in Clark County, Nev., to the Nevada State Board of Fish and Game Commissioners (Rept. No. 578); and

S. 1645. A bill to authorize the Secretary of the Interior to grant easements in certain lands to the city of Las Vegas, Nev., for road-widening purposes (Rept. No. 579).

By Mr. O'MAHONEY, from the Committee on Interior and Insular Affairs, with amendments.

S. 2069. A bill to amend section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain (Rept. No. 576).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

H. R. 632. An act to amend the Federal Crop Insurance Act, as amended (Rept. No. 580).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

H. R. 1045. An act to amend the Soil Conservation and Domestic Allotment Act, as amended (Rept. No. 581).

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES—FEDERAL EMPLOYMENT AND PAY

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, I submit an additional report on Federal employment and pay for the month of May 1957. In accordance with the practice of several years' standing, I ask unanimous consent to have the report printed in the RECORD, together with a statement prepared by me.

There being no objection, the report and statement were ordered to be printed in the RECORD, as follows:

PERSONNEL AND PAY SUMMARY

(See table I)

Information in monthly personnel reports for May 1957, submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures is summarized as follows:

Total and major categories	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In May numbered—	In April numbered—	Increase (+) or decrease (−)	In April was—	In March was—	Increase (+) or decrease (−)
Total [1]	2,393,292	2,395,764	−2,472	$903,746	$899,686	+$4,060
Agencies exclusive of Department of Defense	1,232,753	1,230,972	+1,781	445,799	455,999	−10,200
Department of Defense	1,160,539	1,164,792	−4,253	457,947	443,687	+14,260
Inside continental United States	2,187,795	2,190,505	−2,710			
Outside continental United States	205,497	205,259	+238			
Industrial employment	655,194	656,456	−1,262			
Foreign nationals	269,745	270,219	−474	30,139	27,415	+2,724

[1] Exclusive of foreign nationals shown in the last line of this summary.

Table I, below, breaks down the above figures on employment and pay by agencies.

Table II breaks down the above employment figures to show the number inside continental United States by agencies.

Table III breaks down the above employment figures to show the number outside continental United States by agencies.

Table IV breaks down the above employment figures to show the number in industrial-type activities by agencies.

Table V shows foreign nationals by agencies not included in tables I, II, III, and IV.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	87,147	85,417	1,730		$29,669	$27,567	$2,102	
Commerce [1]	49,965	49,305	660		21,616	20,824	792	
Health, Education, and Welfare	51,735	51,607	128		22,462	20,803	1,659	
Interior	52,409	51,269	1,140		20,992	20,117	875	
Justice	30,231	30,452		221	15,156	14,480	676	
Labor	5,974	5,928	46		2,777	2,607	170	
Post Office	524,807	524,265	542		106,366	[2] 192,736		$24,370
State [3]	33,642	33,568	74		12,615	12,030	585	
Treasury	82,529	83,857		1,328	35,487	33,683	1,804	
Executive Office of the President:								
White House Office	386	389		3	232	222	10	
Bureau of the Budget	447	444	3		301	286	15	
Council of Economic Advisers	30	30			22	21	1	
Executive Mansion and Grounds	70	70			21	26		5
National Security Council [4]	27	28		1	19	18	1	
Office of Defense Mobilization	260	261		1	160	156	4	
President's Advisory Committee on Government Organization	6	6			3	3		
Independent agencies:								
Advisory Committee on Weather Control	9	16		7	6	7		1
Alexander Hamilton Bicentennial Commission	9	11		2	7	6	1	
American Battle Monuments Commission	637	618	19		95	89	6	
Atomic Energy Commission	6,724	6,711	13		3,583	3,422	161	
Board of Governors of the Federal Reserve System	583	583			310	293	17	
Boston National Historic Sites Commission	5	5			1	1		
Civil Aeronautics Board	594	597		3	346	325	21	
Civil Service Commission	4,420	4,410	10		2,020	1,957	63	
Commission of Fine Arts	4	4			2	2		
Corregidor Bataan Memorial Commission	1	2		1	2	1	1	
District of Columbia Auditorium Commission	18	18			1	1		
Export-Import Bank of Washington	187	186	1		118	113	5	
Farm Credit Administration	944	954		10	500	477	23	
Federal Civil Defense Administration	1,193	1,169	24		659	626	33	
Federal Coal Mine Safety Board of Review	7	7			3	3		
Federal Communications Commission	1,180	1,167	13		620	597	23	
Federal Deposit Insurance Corporation	1,135	1,133	2		576	535	41	
Federal Home Loan Bank Board	729	725	4		356	334	22	
Federal Mediation and Conciliation Service	334	332	2		238	228	10	
Federal Power Commission	713	713			396	372	24	
Federal Trade Commission	747	747			427	407	20	
Foreign Claims Settlement Commission	116	118		2	59	60		1
General Accounting Office	5,344	5,346		2	2,553	2,428	125	
General Services Administration	27,401	27,463		62	10,103	9,583	520	
Government Contract Committee	18	16	2		12	10	2	
Government Printing Office	6,449	6,468		19	3,010	2,848	162	
Housing and Home Finance Agency	9,998	10,018		20	4,928	4,662	266	
Indian Claims Commission	14	14			11	11		
Interstate Commerce Commission	2,170	2,159	11		1,099	1,057	42	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5			3	2	1	
National Advisory Committee for Aeronautics	7,722	7,720	2		3,941	3,751	190	
National Capital Housing Authority	252	251	1		97	94	3	
National Capital Planning Commission	33	27	6		20	18	2	
National Gallery of Art	328	332		4	109	102	7	
National Labor Relations Board	1,125	1,128		3	650	618	32	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration and their pay.

[2] Revised on basis of later information.

[3] May figure includes 11,275 employees of the International Cooperation Administration as compared with 11,141 in April and their pay. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 2,736 of these trust fund employees and the April figure includes 2,681.

[4] Excludes personnel and pay of the Central Intelligence Agency.

TABLE I.—*Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957, and pay for April 1957, and comparison with March 1957*—Continued

Department or agency	Personnel				Pay (in thousands)			
	May	April	Increase	Decrease	April	March	Increase	Decrease
Independent Agencies—continued								
National Mediation Board	110	110			$90	$76	$14	
National Science Foundation	300	290	10		153	153		
National Security Training Commission	5	5			2	2		
Panama Canal	14,141	14,124	17		3,589	3,616		27
Railroad Retirement Board	2,361	2,395		34	964	913	51	
Renegotiation Board	383	414		31	271	263	8	
St. Lawrence Seaway Development Corporation	37	38		1	24	24		
Securities and Exchange Commission	782	789		7	441	418	23	
Selective Service System	6,963	6,994		31	1,788	1,703	85	
Small Business Administration	1,111	1,074	37		587	538	49	
Smithsonian Institution	784	772	12		298	284	14	
Soldiers' Home	1,025	1,018	7		245	235	10	
Subversive Activities Control Board	36	36			26	26		
Tariff Commission	213	215		2	126	120	6	
Tax Court of the United States	143	141	2		90	90		
Tennessee Valley Authority	15,423	15,345	78		7,208	6,769	439	
Theodore Roosevelt Centennial Commission	8	6	2		3	2	1	
United States Information Agency	11,916	11,887	29		3,382	3,250	132	
Veterans' Administration	176,195	177,246		1,051	59,751	56,896	2,855	
Woodrow Wilson Centennial Celebration Commission	4	4			2	2		
Total, excluding Department of Defense	1,232,753	1,230,972	4,627	2,846	445,799	455,999	14,204	$24,404
Net change, excluding Department of Defense			1,781				10,200	
Department of Defense:								
Office of the Secretary of Defense	1,690	1,679	11		1,054	991	63	
Department of the Army	428,310	428,015	295		164,283	158,511	5,772	
Department of the Navy	389,022	390,895		1,873	162,528	159,056	3,472	
Department of the Air Force	341,517	344,203		2,686	130,082	125,129	4,953	
Total, Department of Defense	1,160,539	1,164,792	306	4,559	457,947	443,687	14,260	
Net change, Department of Defense			4,253				14,260	
Grand total, including Department of Defense	2,393,292	2,395,764	4,933	7,405	903,746	899,686	28,464	24,404
Net change, including Department of Defense			2,472				4,060	

TABLE II.—*Federal personnel inside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	85,762	84,046	1,716	
Commerce [1]	45,886	45,501	385	
Health, Education, and Welfare	49,919	[2] 49,828	91	
Interior	48,191	46,978	1,213	
Justice	29,690	29,917		227
Labor	5,838	5,812	26	
Post Office	522,340	521,792	548	
State [3]	8,499	8,602		103
Treasury	81,514	82,845		1,331
Executive Office of the President:				
White House Office	386	389		3
Bureau of the Budget	447	444	3	
Council of Economic Advisors	30	30		
Executive Mansion and Grounds	70	70		
National Security Council [4]	27	28		1
Office of Defense Mobilization	260	261		1
President's Advisory Committee on Government Organization	6	6		
Independent agencies:				
Advisory Committee on Weather Control	9	16		7
Alexander Hamilton Bicentennial Commission	9	11		2
American Battle Monuments Commission	19	18	1	
Atomic Energy Commission	6,704	6,692	12	
Board of Governors of the Federal Reserve System	583	583		
Boston National Historic Sites Commission	5	5		
Civil Aeronautics Board	590	593		3
Civil Service Commission	4,405	4,394	11	
Commission of Fine Arts	4	4		
Corregidor-Bataan Memorial Commission	1	2		1
District of Columbia Auditorium Commission	18	18		
Export-Import Bank of Washington	187	186	1	
Farm Credit Administration	934	945		11
Federal Civil Defense Administration	1,193	1,169	24	
Federal Coal Mine Safety Board of Review	7	7		
Federal Communications Commission	1,154	1,140	14	
Federal Deposit Insurance Corporation	1,133	1,131	2	
Federal Home Loan Bank Board	729	725	4	
Federal Mediation and Conciliation Service	334	332	2	
Federal Power Commission	713	713		
Federal Trade Commission	747	747		
Foreign Claims Settlement Commission	116	118		2
General Accounting Office	5,269	5,272		3
General Services Administration	27,301	27,361		60
Government Contract Committee	18	16	2	
Government Printing Office	6,449	6,468		19
Housing and Home Finance Agency	9,832	9,849		17
Indian Claims Commission	14	14		
Interstate Commerce Commission	2,170	2,159	11	
Jamestown-Williamsburg-Yorktown Celebration Commission	5	5		
National Advisory Committee for Aeronautics	7,722	7,720	2	
National Capital Housing Authority	252	251	1	
National Capital Planning Commission	33	27	6	
National Gallery of Art	328	332		4
National Labor Relations Board	1,107	1,110		3
National Mediation Board	110	110		
National Science Foundation	300	290	10	
National Security Training Commission	5	5		
Panama Canal	406	397	9	
Railroad Retirement Board	2,361	2,395		34
Renegotiation Board	383	414		31
St. Lawrence Seaway Development Corporation	37	38		1
Securities and Exchange Commission	782	789		7
Selective Service System	6,770	6,802		32
Small Business Administration	1,101	1,064	37	
Smithsonian Institution	782	770	12	
Soldiers' Home	1,025	1,018	7	
Subversive Activities Control Board	36	36		
Tariff Commission	213	215		2
Tax Court of the United States	143	141	2	
Tennessee Valley Authority	15,423	15,345	78	
Theodore Roosevelt Centennial Commission	8	6	2	
United States Information Agency	2,774	2,756	18	
Veterans' Administration	174,957	175,997		1,040
Woodrow Wilson Centennial Celebration Commission	4	4		
Total, excluding Department of Defense	1,166,579	1,165,274	4,250	2,945
Net increase, excluding Department of Defense			1,305	
Department of Defense:				
Office of the Secretary of Defense	1,645	1,633	12	
Department of the Army	365,197	364,662	535	
Department of the Navy	355,880	357,630		1,750
Department of the Air Force	298,494	301,306		2,812
Total, Department of Defense	1,021,216	1,025,131	547	4,562
Net decrease, Department of Defense			4,015	
Grand total, including Department of Defense	2,187,795	2,190,505	4,797	7,507
Net decrease, including Department of Defense			2,710	

[1] May figure includes 415 seamen on the rolls of the Maritime Administration.
[2] Revised on basis of later information.
[3] May figure includes 1,731 employees of the International Cooperation Administration as compared with 1,744 in April.
[4] Exclusive of personnel of the Central Intelligence Agency.

TABLE III.—*Federal personnel outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	1,385	1,371	14	
Commerce	4,079	3,804	275	
Health, Education, and Welfare	1,816	[1] 1,779	37	
Interior	4,218	4,291		73
Justice	541	535	6	
Labor	136	116	20	
Post Office	2,467	2,473		6
State [2]	25,143	24,966	177	
Treasury	1,015	1,012	3	
Independent agencies:				
American Battle Monuments Commission	618	600	18	
Atomic Energy Commission	20	19	1	
Civil Aeronautics Board	4	4		
Civil Service Commission	15	16		1
Farm Credit Administration	10	9	1	
Federal Communications Commission	26	27		1
Federal Deposit Insurance Corporation	2	2		
General Accounting Office	75	74	1	
General Services Administration	100	102		2
Housing and Home Finance Agency	166	169		3
National Labor Relations Board	18	18		
Panama Canal	13,735	13,727	8	
Independent agencies—continued				
Selective Service System	193	192	1	
Small Busines Administration	10	10		
Smithsonian Institution	2	2		
United States Information Agency	9,142	9,131	11	
Veterans' Administration	1,238	1,249		11
Total, excluding Department of Defense	66,174	65,698	573	97
Net increase, excluding Department of Defense			476	
Department of Defense:				
Office of the Secretary of Defense	45	46		1
Department of the Army	63,113	63,353		240
Department of the Navy	33,142	33,265		123
Department of the Air Force	43,023	42,897	126	
Total, Department of Defense	139,323	139,561	126	364
Net decrease, Department of Defense			238	
Grand total, including Department of Defense	205,497	205,259	699	461
Net increase, including Department of Defense			238	

[1] Revised on basis of later information.
[2] May figure includes 9,544 employees of the International Cooperation Administration as compared with 9,397 in April. These ICA figures include employees who are paid from foreign currencies deposited by foreign governments in a trust fund for this purpose. The May figure includes 2,736 of these trust fund employees and the April figure includes 2,681.

TABLE IV.—*Industrial employees of the Federal Government inside and outside continental United States employed by the executive agencies during May 1957, and comparison with April 1957*

Department or agency	May	April	Increase	Decrease
Executive departments (except Department of Defense):				
Agriculture	3,220	3,162	58	
Commerce	2,729	2,716	13	
Interior	7,876	8,200		324
Treasury	5,583	5,619		36
Independent agencies:				
Atomic Energy Commission	145	146		1
Federal Communications Commission	41	41		
General Services Administration	1,095	1,089	6	
Government Printing Office	6,449	6,468		19
National Advisory Committee for Aeronautics	7,722	7,720	2	
Panama Canal	7,278	7,254	24	
Tennessee Valley Authority	12,589	12,531	58	
Total, excluding Department of Defense	54,700	54,919	161	380
Net decrease, excluding Department of Defense			219	
Department of Defense:				
Department of the Army:				
Inside continental United States	[1] 181,000	[2] 180,572	428	
Outside continental United States	[1] 23,800	[2] 23,881		81
Department of the Navy:				
Inside continental United States	218,759	219,657		898
Outside continental United States	5,886	5,958		72
Department of the Air Force:				
Inside continental United States	164,437	164,818		381
Outside continental United States	6,612	6,651		39
Total, Department of Defense	600,494	601,537	428	1,471
Net decrease, Department of Defense			1,043	
Grand total, including Department of Defense	655,194	656,456	589	1,851
Net decrease, including Department of Defense			1,262	

[1] Subject to revision.
[2] Revised on basis of later information.

TABLE V.—*Foreign nationals working under United States agencies overseas, excluded from tables I through IV of this report, whose services are provided by contractual agreement between the United States and foreign governments, or because of the nature of their work or the source of funds from which they are paid, as of May 1957 and comparison with April 1957*

Country	Total		Army		Navy		Air Force	
	May	April	May	April	May	April	May	April
Belgium	6	6					6	6
Denmark	1	1					1	1
England	7,149	7,221			37	37	7,112	7,184
France	25,163	25,592	17,678	17,873			7,485	7,719
French Morocco	5,705	5,791	156	156	957	950	4,592	4,685
Germany	98,307	98,234	82,321	82,127	421	565	15,565	15,542
Japan	127,806	127,839	66,603	[1] 66,245	19,172	19,252	42,031	42,342
Korea	4,881	4,804	4,881	4,804				
Malta	116	115			116	115		
Netherlands	41	42					41	42
Norway	23	24					23	24
Trinidad	547	550			547	550		
Total	269,745	270,219	171,639	171,205	21,250	21,469	76,856	77,545

[1] Revised on the basis of later information.

NOTE.—The Germans are paid from funds provided by German Governments. The French and English reported by the Army and Air Force are paid from funds appropriated for personal services. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

EMPLOYEES

Executive agencies of the Federal Government reported regular civilian employment in the month of May totaling 2,393,292. This was a net decrease of 2,472 as compared with employment reported in the preceding month of April.

Civilian employment reported by the executive agencies of the Federal Government, by months in fiscal year 1957, which began July 1, 1956, follow:

Month	Employment	Increase	Decrease
July	2,398,673	14,250	
August	2,400,493	1,820	
September	2,388,854		11,639
October	2,396,163	7,309	
November	2,394,324		1,839
December	2,389,788		4,536
January 1957	2,387,015		2,773
February	2,390,517	3,502	
March	2,392,987	2,470	
April	2,395,764	2,777	
May	2,393,292		2,472

Inside continental United States civilian employment decreased 2,710 and outside continental United States civilian employment increased 238. Industrial employment by the Federal agencies in May totaled 655,194, a decrease of 1,262.

Civilian agencies

Total civilian employment in civilian agencies during the month of May was 1,232,753, an increase of 1,781, as compared with the April total of 1,230,972.

Civilian agencies reporting the major increases were Agriculture Department, with 1,730; Interior Department, with 1,140; Department of Health, Education, and Welfare, with 660; and Post Office Department, with 542. The increases in the Departments of Agriculture and Interior were largely seasonal. Major decreases were reported by the Treasury Department, with 1,328, and the Veterans' Administration, with 1,051.

Military agencies

Total civilian employment in the military agencies in May was 1,160,539, a decrease of 4,253, as compared with 1,164,792 in April.

In the Department of Defense decreases in civilian employment were reported by the Department of the Air Force, with 2,686, and the Department of the Navy, with 1,873. The Department of the Army reported an increase of 295.

These figures are from reports certified by the agencies as compiled by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,393,292 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports includes some foreign nationals employed in United States Government activities abroad, but in addition to these there were 269,745 foreign nationals working for United States military agencies during May who were not counted in the usual personnel report. The number in April was 270,219. A breakdown of this employment for May follows:

Country	Total	Army	Navy	Air Force
Belgium	6			6
Denmark	1			1
England	7,149		37	7,112
France	25,163	17,678		7,485
French Morocco	5,705	156	957	4,592
Germany	98,307	82,321	421	15,565
Japan	127,806	66,603	19,172	42,031
Korea	4,881	4,881		
Malta	116		116	
Netherlands	41			41
Norway	23			23
Trinidad	547		547	
Total	269,745	171,639	21,250	76,856

PAYROLL

The regular monthly Federal civilian payroll in April totaled $903,746,000. United States pay for foreign nationals working under Federal agencies abroad totaled $20,562,000. The total April payroll for agencies of the executive branch of the Federal Government, $924,308,000.

These figures for the month were certified by executive agencies to the Joint Committee on Reduction of Nonessential Federal Expenditures. Payroll figures are on an actual basis and necessarily lag 1 month behind the personnel count.

Payroll for the first 10 months of fiscal year 1957, including United States funds for foreign nationals not on regular rolls, totaled $9.3 billion. This was a monthly average of $933 million, since fiscal year 1957 started July 1, 1956.

These payroll figures by months follow:

[In millions]

Month	Regular payrolls	Foreign nationals not on regular rolls, United States funds	Total
July	$907	$17	$923
August	950	17	967
September	846	17	863
October	947	17	964
November	931	17	948
December	933	18	951
January 1957	990	17	1,006
February	848	16	864
March	900	19	919
April	904	21	924
Total, 10 months	9,155	176	9,330

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BRICKER:

S. 2463. A bill for the relief of Richard M. Taylor and Lydia Taylor; and

S. 2464. A bill for the relief of Hope Whang (Hope Whang Faust) and Arden Whang (Arden Whang Faust); to the Committee on the Judiciary.

By Mr. MURRAY:

S. 2465. A bill to stimulate the investment of venture capital in the production of strategic and critical metals or minerals; to the Committee on Finance.

By Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE):

S. 2466. A bill to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. CASE of South Dakota (for himself and Mr. MUNDT):

S. 2467. A bill to authorize the Administrator of Veterans' Affairs to negotiate a new contract with the city of Sturgis, S. Dak., with respect to the use of the sewage facilities of such city by the Fort Meade Veterans' Hospital, Sturgis, S. Dak.; to the Committee on Labor and Public Welfare.

By Mr. BUTLER:

S. 2468. A bill to amend section 2410 of title 28, United States Code, with respect to the sale of real or personal property upon which the United States has a lien; to the Committee on the Judiciary.

By Mr. DOUGLAS:

S. 2469. A bill for the relief of Dr. Brant Bonner; to the Commitete on the Judiciary.

By Mr. SALTONSTALL:

S. 2470. A bill for the relief of William L. Morris; to the Committee on the Judiciary.

By Mr. COOPER:

S. 2471. A bill to amend Veterans' Regulation No. 10 to provide that the term "child" shall include a child of a veteran who is a member of the veteran's household and who becomes permanently incapable of self-support; to the Committee on Finance.

S. 2472. A bill for the relief of Michael Parvaresh; to the Committee on the Judiciary.

By Mr. CARROLL:

S. 2473. A bill for the relief of Charlene Nalani Franklin (Joo Bok Ja); to the Committee on the Judiciary.

By Mr. BYRD (for himself and Mr. ROBERTSON):

S. 2474. A bill directing the Secretary of the Navy to convey certain land situated in the State of Virginia to the Board of Supervisors of York County, Va.; to the Committee on Armed Services.

By Mr. CHAVEZ:

S. 2475. A bill for the relief of Ma Bong Ching; to the Committee on the Judiciary.

CONCURRENT RESOLUTIONS

RECOGNITION OF BASEBALL HALL OF FAME

Mr. JAVITS. Mr. President, on behalf of myself and the senior Senator from New York [Mr. IVES], I submit a concurrent resolution providing for the recognition by Congress of the Baseball Hall of Fame at Cooperstown, N. Y. I understand an identical resolution is being submitted in the House of Representatives by Representative BERNARD W. KEARNEY, of Lake Pleasant, N. Y.

The Baseball Hall of Fame is a national institute of a game which is our national pastime, which fosters the highest ideals of sportsmanship and fair play, and the competitive spirit. New York is proud to call itself the home of baseball and the Baseball Hall of Fame, and this is a deserving memorial. I could think of no better day to do this than the day before the Fourth of July.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 37) favoring Congressional recognition of the Baseball Hall of Fame, located at Cooperstown, N. Y., submitted by Mr. JAVITS (for himself and Mr. IVES), was referred to the Committee on Rules and Administration, as follows:

Whereas baseball is universally recognized as the American national sport, a sport that in the more than 100 years of its existence has captured the imagination and zeal of most of our youth and has spread to other lands; and

Whereas millions of Americans have participated either as players or spectators in countless school, college, community, or professional leagues since Abner Doubleday conceived the first game of town ball in 1839 in Cooperstown, N. Y.; and

Whereas modern American baseball teams have achieved wide acclaim in exhibition tours in foreign lands and have been generally accepted as among our finest good-will ambassadors abroad; and

Whereas baseball epitomizes our highest ideals of sportsmanship and fair play; and

Whereas there was established in 1938 at Cooperstown, near the site of the first game, the Baseball Hall of Fame; and

Whereas the Baseball Hall of Fame is the shrine of the game's immortals whose exploits are there preserved for the inspiration of future generations: Therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress hereby recognizes the Baseball Hall of Fame at Cooperstown, N. Y., as a memorial to individuals who have made outstanding contributions to the sport of baseball and as a fitting and valuable institution for the collection and preservation of famous tokens and other evidences and data relating to our national game.

WAIVER OF PRIMARY RIGHT TO JURISDICTION OVER MEMBERS OF ARMED FORCES UNDER STATUS OF FORCES TREATY

Mr. THURMOND. Mr. President, I submit for appropriate reference, a concurrent resolution to advise the officials of the executive branch who deal with our status of forces treaties and agreements that the Congress does not approve of the United States waiving the primary right to jurisdiction, when the right to jurisdiction is held by the United States, with reference to any member of our Armed Forces serving overseas.

Article VII of the Status of Forces Treaty, which was ratified by the Senate on July 15, 1953, contains the definitions of jurisdiction. Section 3 (a) (ii) contains the pertinent part of the treaty for the purpose of this resolution. It reads as follows:

(a) The military authorities of the sending state shall have the primary right to exercise jurisdiction over a member of a force * * * in relation to—

(ii) offenses arising out of any act or omission done in the performance of official duty.

The material I have just quoted from the status of forces treaties specifies that the United States, in sending members of the Armed Forces to countries where the status of forces treaties prevail, shall have authority—or the primary right—to try our men for criminal acts committed in those countries when such acts are committed in the performance of official duty.

However, part (c) of section 3 of the same article provides that—

The authorities of the state having the primary right shall give sympathetic consideration to a request from the authorities of the other state for a waiver of its right in cases where that other state considers such waiver to be of particular importance.

That is the point which concerns me. The best illustration of what can happen when the United States waives the primary right to jurisdiction over a member of our Armed Forces is the Girard case, which is now pending before the Supreme Court. I anticipate that, under the waiver provision, the Court will permit Girard to be turned over to the Japanese for trial.

When this country sends fighting men overseas, the least we can do is to protect the best interests of the men by providing them trial by courts-martial for acts done when they are on duty. When our officials waive the right actually held under the treaties to provide our men with such protection, I believe the Congress should take action to remedy the situation.

This concurrent resolution would make clear to the executive branch that the Congress expects all of its officials to exercise jurisdiction over our Armed Forces, when a right to such jurisdiction is held under the treaties.

Mr. President, I hope that early action can be taken on this resolution.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 38), submitted by Mr. THURMOND, was referred to the Committee on Foreign Relations, as follows:

Resolved, etc., That it is the sense of the Congress that whenever any member of any Armed Force of the United States is charged with any criminal offense alleged to have been committed by him in any foreign country, and under the terms of any treaty or other agreement with such foreign country the United States has primary jurisdiction to try such member for such alleged offense, the United States should exercise its right to try such individual by court-martial, and should not waive such jurisdiction or surrender such member to any authority of such foreign country for trial.

SEC. 2. Copies of this resolution shall be transmitted to the President, the Secretary of State, the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force.

PRINTING AS A SENATE DOCUMENT THE REPORT OF COMMISSION ON GOVERNMENT SECURITY—ADDITIONAL COPIES

Mr. MANSFIELD. Mr. President, I submit a concurrent resolution providing for the printing as a Senate document and for additional copies of the report of the Commission on Government Security, and I ask unanimous consent for its present consideration.

The VICE PRESIDENT. The concurrent resolution will be read for the information of the Senate.

The concurrent resolution (S. Con. Res. 39) was read as follows:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed as a Senate document the Report of the Commission on Government Security, submitted to the Congress June 21, 1957, pursuant to Public Law 304 of the 84th Congress, as amended; and that there shall be printed 5,000 additional copies, of which 2,500 shall be for the use of the Senate and 2,500 for the use of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. MANSFIELD. Mr. President, this matter was cleared with the minority leader, the Senator from California, and it was brought to our attention by the Senator from Mississippi [Mr. STENNIS]. Because of the widespread public interest in the report of the Commission on Government Security, the supply of which has been depleted, it is felt that additional copies are needed. Because implementation of the legislative recommendations is important business now in both Houses of Congress, the Senator from Mississippi brought to our attention the concurrent resolution before us, for the printing of 5,000 copies of this report as a Senate document, 2,500 to be available for the use of the House and 2,500 to be available for the use of the Senate.

The staff of the Committee on Rules and Administration advises me that the Government Printing Office's estimate of the cost of this printing is $3,960.05.

I urge the adoption of the concurrent resolution.

The VICE PRESIDENT. The question is on agreement to the concurrent resolution.

The concurrent resolution was agreed to.

RESOLUTIONS

ADDITIONAL EXPENDITURES BY COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN submitted the following resolution (S. Res. 154), which was referred to the Committee on Rules and Administration:

Resolved, That the Committee on Appropriations hereby is authorized to expend from the contingent fund of the Senate, during the 85th Congress, $10,000, in addition to the amounts, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act, approved August 2, 1946.

CONSTITUTIONAL ISSUES INVOLVED IN STATUS OF FORCES AGREEMENT PROCEDURES

Mr. SMATHERS. Mr. President, many of us in the Congress are deeply concerned with the constitutional issues involved in connection with the procedures being followed by the executive branch of the Government in carrying out the provisions of the Status of Forces Agreement, and administrative agreements of a similar nature entered into between the United States and foreign governments.

Because of the interpretation being given to the provisions of these agreements, and the manner in which they are being carried out, proposals have been made by Members of this body designed to abrogate, rescind, or modify them.

The precedent established in the Girard case has focused considerable attention and concern on this problem. It is a precedent which is not only vitally important to more than a million American Armed Forces personnel who are presently stationed in foreign countries, but a precedent of equal importance to millions of others in the armed services who might be called upon to perform duty in a foreign country. It is a precedent which also affects to an equal degree of importance millions of the youth of this Nation who will in the future be called upon to perform military duty. Widespread and deep-rooted concern is therefore justified.

We know that the United States District Court for the District of Columbia has enjoined the Government from turning Private Girard over to Japanese courts for trial. This decision was predicated on the fact that to do so would violate the protection given him under the Constitution of the United States. The case is now on appeal before the Supreme Court of the United States, and a decision will undoubtedly be made within the next few weeks. All of us, I am sure, are anxiously awaiting the decision of the Supreme Court.

My position on the Status of Forces Agreement is clear. I voted against Senate ratification of the agreement. It is not my purpose at this time to engage in recrimination or argumentation as to the wisdom of the Status of Forces Agreement, and other administrative agreements of a similar nature which have been made. However, I feel that it can be accurately stated that it was never the intention of any Member of the United States Senate in voting to ratify the Status of Forces Agreement to permit the waiver of any of the constitutional safeguards of members of the Armed Forces on overseas duty.

As a nation we have entered into these agreements. In my opinion, we are not going to violate our pledge nor back out of basic commitments, though many of us in the United States Senate believe that it was unwise to have given such a pledge and commitments in the first instance.

I was interested in reading last night in the Washington Star that Secretary of Defense Wilson had stated that the "practical effect" of a Congressional resolution to end foreign trials of GI's "would be the withdrawal of United States forces from all over the world."

"This result is not imaginary," Wilson told Chairman GORDON, Democrat, of Illinois, of the House Foreign Affairs Committee. Mr. Wilson stated further:

It would be the inevitable consequence of forcing the Presidents to denounce the status of forces agreements throughout the world.

The end result, he added, would be to force this country to shift from its global alliance strategy to "a fortress America concept for the defense of the continental United States."

On that point I agree with the Secretary. We probably should not have entered into such agreements, but having entered into them, we are in a position from which we cannot very well back out.

The question then arises, How can we best deal with the situation which now confronts us, and eliminate in the future the fundamental cause of the Girard incident? There is no doubt that American citizens are entitled to their constitutional guaranties and to be assured the protection of these guaranties wherever they might be. At the same time, we, as a nation are expected to live up to international obligations which we have freely assumed.

In considering both of these questions, it is my purpose to try to discover a mechanism whereby we can fully protect the rights of American citizens abroad, or members of the Armed Forces, or the civilian components thereof, and at the same time honor the agreements which we have made. I believe I have a suggestion worthy of prompt consideration.

Both the Status of Forces Agreement and the administrative agreement entered into between the United States and Japan contain a specific provision that the United States shall exercise primary jurisdiction over members of the United States Armed Forces, or the civilian components with respect to offenses committed arising out of any act or omission done in the performance of official duty.

It is my firm conviction that at the time the Status of Forces Agreement was ratified the American people believed that the United States Government would exercise jurisdiction in criminal cases involving members of our Armed Forces in foreign countries when the immediate superior of the person involved in the alleged offense certified that such person was on a duty status at the time of the alleged offense. What we believed to be a fact, however, seems to be a matter of interpretation by administrative officials of the executive branch of the Government exercising discretion in each individual case.

The rights guaranteed the individual under the Constitution of the United States are inviolate. Under no circumstances can or should they be waived. This is true regardless of how emotionally tense an international situation may become.

In my opinion a repetition of the Girard incident can be prevented, the constitutional guaranties protected, and the executive department of our Government saved from embarrassment by the adoption of a Senate resolution which I am submitting at this time. It reads as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

I sincerely trust that the committee to which this resolution is referred will act promptly and favorably on it. Its adoption by the Senate will bolster and reaffirm what was unquestionably in the minds of the Members of the Senate at the time it ratified the Status of Forces Agreement.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. POTTER. First, I should like to commend the Senator from Florida for submitting his resolution.

It is my understanding that in the Girard case, which has caused so much concern not only in the United States, but in Japan, under an executive agreement, the commanding officer did state that Girard was on official duty. As I understand the Senator's resolution, he would amend any other similar executive agreements which we might have. The host government can appeal the decision of the commanding officer when the commanding officer says the man was on official duty. That decision by the commanding officer should represent the sole jurisdiction in such a case.

Mr. SMATHERS. I thank the able Senator. He is correct.

What happened was that the commanding officer of Girard did say that he was on official duty, and in the performance of his duty. However, there is another provision in the agreement which allows our country or the other country to waive jurisdiction. Apparently the emotional situation became so tense that it was determined to be in the best interests of the United States—certainly not of Girard—that we waive the right which we had, under the previous paragraph, to try the boy.

What is sought by my resolution is to have the President contact each of the countries with which we have entered into status of forces agreements or administrative executive agreements, and say that in the future, with respect to waiver, whenever the commanding officer of a member of the Armed Forces says that the person in question was on official duty, we cannot waive jurisdiction, and the person involved shall be tried under the procedures of the United States Government.

Mr. POTTER. It is my understanding that under the Status of Forces Treaty, when the commanding officer states that the act of omission or commission was committed while the person was on official duty, the commanding officer's decision holds, unless it is changed by negotiation between the two governments.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. But in this case there was a protocol to an executive agreement. It so happened that in the Girard case there was a provision which was not in our Status of Forces Treaty. Apparently an appeal is allowed from the decision of a commanding officer to a review board representing the United States Government and the Japanese Government, in this case, which takes the man out of the jurisdiction of the Army—in this case—and places him under the jurisdiction of the host government, irrespective of the decision of the commanding officer.

Mr. SMATHERS. The Senator is correct.

Mr. POTTER. I think the Senator's resolution should receive very careful consideration.

The resolution (S. Res. 155), submitted by Mr. Smathers, was referred to the Committee on Foreign Relations, as follows:

Resolved, That it is the sense of the Senate, that the President of the United States as soon as is practicable take such action as may be necessary, with respect to any treaty or international agreement to which the United States is a party and which contains provisions permitting foreign countries by waiver or otherwise to exercise criminal jurisdiction over members of the Armed Forces of the United States stationed within their boundaries, to modify such provisions to insure that criminal jurisdiction shall not be conferred upon or exercised by a foreign country when the alleged criminal act or omission of a member of the Armed Forces occurs during a time when he is determined by his immediate commanding officer to be in the performance of his official duty.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 156) to provide additional funds for the Senate Official Reporters of Debates.

(See resolution printed in full, which appears under a separate heading.)

MARGARET BURNS RAYMOND

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 157) to pay a gratuity to Margaret Burns Raymond, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Margaret Burns Raymond, widow of Allen Raymond, an employee of the Senate at the time of his death, a sum equal to 3 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

MILDRED M. BINNICKER

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 158) to pay a gratuity to Mildred M. Binnicker, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to

Mrs. Mildred M. Binnicker, sister and administratrix of the estate of Byron C. Wanger, an employee of the Senate at the time of his death, a sum equal to 5 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

DAVID JOHN BRENNAN AND JOHN F. BRENNAN

Mr. HENNINGS, from the Committee on Rules and Administration, reported an original resolution (S. Res. 159) to pay a gratuity to David John Brennan and John F. Brennan, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to David John Brennan and John F. Brennan, brothers of William M. Brennan, an employee of the Senate at the time of his death, a sum to each equal to 4¾ months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPEAL OF SUSTAINED YIELD ACT OF MARCH 29, 1944

Mr. MURRAY. Mr. President, on behalf of myself, the junior Senator from Oregon [Mr. NEUBERGER], the Senator from Minnesota [Mr. HUMPHREY], the Senator from North Carolina [Mr. SCOTT], and the senior Senator from Oregon [Mr. MORSE], I introduce, for appropriate reference a bill to repeal the act of March 29, 1944.

In 1956, the Senate Interior and Insular Affairs Committee and the House Government Operations Committee issued a Joint Report on Federal Timber Sales Policies. The committees called upon the Secretaries of Agriculture and the Interior to review the operation of the 1944 act and to report thereon. The statute under review gave the Secretaries discretionary power to award timber upon the public domain, Indian lands, and the national forests to particular companies or communities.

This law has been applied on the western public domain national forests in Washington, Oregon, California, Arizona, and New Mexico. In the 13 years since this law has been on the books, the Department of Agriculture has created only 5 units which committed national forest timber to selected localities, and only 1 has been created which pooled national forest and private land for the benefit of 1 company.

I should also like the RECORD to show that there are approximately 700 national forest areas where these units could have been created, and on only 6 of them do Federal units or cooperative agreements exist today. In addition, the Forest Service has had a total of 3 applications for pooling private timber with Federal timber; and a public hearing was held on only one of the three. It has received four other applications for the creation of Federal units; hearings have been held on three; and all three were turned down. Thus, I think that it is clear that this law had only limited applicability, when we consider the number of times it has been invoked in the 13 years since its enactment.

The Secretary of the Interior has never created any units under this act. However, he did set up marketing restrictions on the Oregon and California revested lands; but this was done under the O. & C. Act. This year he abolished those marketing restrictions, after holding appropriate public hearings.

When the Secretary of Agriculture made his report to the Congress, he advised me that he would not object to the repeal of the 1944 authority. I, in turn, requested that he send me a bill to accomplish this purpose; and this is the bill I introduce today. I wish to call attention to the fact that the Bureau of the Budget also favors the repeal of this act. The repeal of this act would rescind the authority to create new Federal units or cooperative agreements, but it would permit the continuation of existing units. The Department of Agriculture has advised me that it plans to review the Federal units, to consider whether it will continue them. Apparently it does not plan such a review of the one cooperative agreement that it has.

This one cooperative agreement embraces over 4 billion feet of national forest timber and about 1 billion feet of private timber. The Federal timber is on 111,000 acres, while the private timber is on about 200,000 acres. The one cooperative agreement is a contractual agreement which runs for 100 years, until the year 2046.

There is no time limit on a Federal unit, and it embraces only national forest timber. Furthermore, in a Federal unit there is no contractual relationship between the Government and the community.

It would be sound public policy for the Congress, in considering the repeal of this legislation, to review whether it is desirable to continue either Federal units for an indefinite period or this one cooperative agreement until the year 2046.

I ask unanimous consent that the reports of May 29 and June 24 by the Secretary of Agriculture be printed in the RECORD, in order that the basis for the Department's position may be known to all Members of Congress.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the reports will be printed in the RECORD.

The bill (S. 2466) to repeal the Sustained Yield Act of March 29, 1944 (58 Stat. 132), and for other purposes, introduced by Mr. MURRAY (for himself, Mr. NEUBERGER, Mr. HUMPHREY, Mr. SCOTT, and Mr. MORSE), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The reports presented by Mr. MURRAY are as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 29, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR MR. MURRAY: This letter is in response to recommendation G–7 in the report on Federal timber-sale policies of the Subcommittee on the Legislative Oversight Function of the Senate Committee on Interior and Insular Affairs for a report on the results of a review and a recommendation of this Department on Federal and cooperative sustained yield units.

In respect to Federal sustained yield units, your subcommittee specifically requested answers to the following two questions:

1. What in the experience of the agencies has been their actual effect, if any, in practice?

2. Whether these restrictions serve any useful purpose at this time, and if so, in what way.

Specific accomplishments or developments in each of the five established Federal units are:

Vallecitos Federal unit, Carson National Forest, N. Mex.: Established January 21, 1948; contains 74,000 acres with allowable cut of 3.5 million board-feet annually. Establishment of this unit resulted in installation of a modern sawmill at Vallecitos. The standard of living has been raised in this depressed and overpopulated community. Maintenance of restriction on point of manufacture is needed to insure continuance of needed employment in this community.

Flagstaff Federal unit, Coconino National Forest, Ariz.: Established May 6, 1949, contains 900,000 acres with allowable cut of 56.8 million board-feet annually. Sawmill capacity has been maintained and a small pulp mill has been established at Flagstaff. This mill is now being enlarged from 20 to around 80 tons per day capacity. Chips from the major sawmill at Flagstaff will be a substantial raw material source for the 250-ton-per-day pulp plant to be constructed at Snowflake.

Both of these pulp plant developments have been facilitated by the assurance of timber supply provided by the Flagstaff Federal sustained yield unit. Continuance of this unit will assure the availability of raw materials for these two pulp mill developments which for the first time provide for utilization in the southwest of sawmill waste and substantial markets for thinnings and other nonsawlog uses of ponderosa pine and associated species.

Gray's Harbor Federal Unit, Olympic National Forest, Wash.: Established November 2, 1949; contains 117,000 acres with allowable cut of 78 million board-feet. Need for this timber in Gray's Harbor area is clearly shown by the strenuous competitive bidding in this unit. Competition among operators within the unit has resulted in stumpage rates which are comparable to those received in areas outside the unit. Assurance that this backlog of 78 million feet will be available for local use has undoubtedly helped in encouraging maintenance and modernization of the established wood-using industries in his area.

Big Valley Federal Unit, Modoc National Forest, Calif.: Established January 27, 1950; contains 82,000 acres with allowable cut of 8 million board-feet. Timber in this unit has been bid in at appraised prices by one operator, while there has been lively competitive bidding for comparable timber outside of this unit. The steady flow of timber has helped to maintain the principal Big Valley community at about the same level as before establishment of the unit.

Lakeview Federal Unit, Fremont National Forest, Oreg.: Established October 10, 1950; contains 488,000 acres with allowable cut of 53 million board-feet. There has been virtually no competition within the unit since establishment. Since 1950, the lumber industries in the unit have expended about $1,500,000 to improve their manufacturing and remanufacturing facilities. These local mills are exceeding minimum man-hour requirements for lumber refinement and remanufacture established for the unit. The community has shown sound growth and development since establishment of the unit,

although developments there are perhaps no more outstanding than in some other comparable communities which do not have the benefit of a Federal unit designation.

Conditions, problems, and results are different for each of these units but may be summarized as follows:

1. The units have contributed to the stabilization of the communities they were designed to support. There are, however, comparable communities which are in about as good condition without Federal units.

2. The sawmill at Vallecitos, the small pulpmill at Flagstaff and the larger pulpmill planned nearby are specific examples of improvements and projected improvements of manufacturing facilities based on utilization of national forest timber in units. Development on the other units is about the same as incomparable communities without such designation.

3. The degree of timber utilization within Federal units is substantially the same as on comparable national forest areas where no units have been established.

4. With one outstanding exception (Gray's Harbor), there has been virtually no competitive bidding for timber within the Federal units. Stumpage revenues realized by the Government have been less than amounts realized for comparable timber which has been sold without restrictions as to where primary processing must be provided.

The five Federal units now in existence, widely scattered in five different States, were established during the 3-year period 1948 through 1950. No Federal unit has been established since 1950. Public hearings were held since that date on proposed units in Oregon, Idaho, and Texas but in each case the decision was that the proposal did not justify establishment of a unit under the terms of the 1944 act. Proposals for hearings on other Federal units have been denied because they did not qualify under the terms of the act. The five Federal units were established to attain long-term objectives. They have functioned with varying degrees of effectiveness, but have not been in operation long enough to demonstrate their full potentialities. Accordingly, the existing units will be continued, subject to periodic review and reexamination to determine for each unit whether the purposes of the act are being realized. Before any major changes are made in any Federal unit the community concerned will be given opportunity for presentation of views at a public hearing. From consideration of results from established units and experience gained in recent hearings and investigations of proposed units, this Department has concluded that further establishment of Federal units is inadvisable in the foreseeable future.

With respect to cooperative sustained yield agreements, the only established cooperative sustained yield unit is for the Shelton area in western Washington. It was established in December 1946. One other public hearing on a proposal to establish a cooperative sustained yield unit in the Woodleaf area in California was held in 1948. Widespread objection to this proposal, particularly from the local people living within the area, resulted in a decision by the Forest Service not to establish the unit.

Proposals for establishment of cooperative sustained yield units have proven to be highly controversial. They have generally been opposed by the local timber operators other than the potential cooperator and by affected communities other than the one where the timber from the proposed unit would be processed. Operators who have little, if any, backlog of private timber, including even those who might be remotely affected by a proposed withdrawal of national forest timber from competitive bidding, have been particularly active in opposing cooperative units. Most of these objectors have relatively smaller sized operations but larger operators who want to purchase national forest timber have also expressed strong opposition. Organized labor also has opposed cooperative units because such units eliminate competitive bidding and tend to limit employment opportunities in the vicinity of cooperative units to a single employer.

For a number of reasons there has been a significant decrease in the number of timberland owners who desire to commit their lands to this form of cooperative management. In addition, the Forest Service estimates that there are now very few situations which conceivably might qualify for cooperative sustained yield units under the requirements of the 1944 act.

The economic advantages held by a firm which has an assured permanent supply of timber which can be purchased noncompetitively over one which must obtain public timber through competitive bidding have increased many fold since passage of the act in 1944 and establishment of the Shelton unit in 1946. It would not be wise under present intense demands to establish a few selected preferences for noncompetitive purchase of national forest timber. The Department is therefore terminating consideration of further establishment of cooperative sustained yield units in the foreseeable future.

The first 10 years of operation of the Shelton cooperative sustained yield unit were completed last December. This unit has been operated in close conformity to the plan established 10 years ago. The cooperative agreement with the Simpson Logging Co. is a contractual commitment of the United States which runs until the year 2046. The Simpson Logging Co. has acquired an additional approximately 50,000 acres of cutover and second growth timber, which it has committed to the cooperative agreement. Continuance of this contractual arrangement will insure that the more than 200,000 acres of the Simpson Co. land will be cut under sustaining yield limitations during the next 90-year period. This assures stabilized support for communities of Shelton and McCleary. Since the establishment of this cooperative sustained yield unit there has been progressive development of community facilities at both Shelton and McCleary, which, for their size and circumstances, can be rated as superior communities.

It is believed that even the critics of the Shelton cooperative sustained-yield agreement would agree that operations and development are proceeding in a highly satisfactory manner in respect to conditions in the woods and in the dependent communities. The one criticism which has been raised results from the fact that in recent years there have been substantial differences between appraised and bid prices on the rest of the Olympic Forest and the presumption that if the timber in the unit had been sold competitively similar increases over appraised prices would have been obtained. A considerable reduction in the difference between bid and advertised stumpage prices on the Olympic Forest has been obtained during the last 12 months, and we expect to effect further reduction of this difference. It should be borne in mind that through the commitment of the cooperator's lands for a century to this cooperative agreement the Government has been enabled to increase the rate of harvest and regrowth on its lands over the rates which would otherwise have been possible under sound sustained-yield management. The only feasible way to have obtained such a commitment from the cooperator was for the Government to agree to sell its timber noncompetitively as authorized by the act of March 29, 1944. Since enactment of the law and establishment of this unit in 1946, competition for national forest timber in western Washington has increased in an unprecedented and unforeseen manner. On the other hand, incentives to liquidate private timber while the good markets and attractive profit opportunities of the last decade prevailed also increased substantially. Establishment of this cooperative sustained yield unit has and will continue to prevent over-rapid liquidation or undesirable cutting practices in the Shelton area.

In summary, it has been determined to discontinue, for the foreseeable future, further establishment of both Federal and cooperative sustained yield units under the act of March 29, 1944. The contractual rights and obligations of the United States in the cooperative agreement with the Simpson Lumber Co. for the Shelton sustained yield unit will be continued. The five established Federal units will be continued for the present. The desirability of their further continuance will be examined from time to time and not less frequently than at 5-year intervals. Subsequent decisions on continuance of any Federal unit will be based on investigations and on information presented at public hearings.

If, in view of the great changes in conditions since 1944, the administrative experience gained in the application of the Sustained Yield Unit Act as reviewed herein and the lack of opportunities or need to establish additional units, the Congress decides to revoke the authority contained in the act of March 29, 1944, this Department would not object provided that provision is made for the continued administration of established units.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 24, 1957.

Hon. JAMES E. MURRAY,
Chairman, Committee on Interior and Insular Affairs, United States Senate.

DEAR SENATOR MURRAY: Reference is made to your letter of June 4 requesting a draft of legislation which would revoke the Federal unit and cooperative sustained-yield unit authority of the act of March 29, 1944.

Attached is a draft bill which would repeal those authorities but would not affect the sustained-yield units heretofore established under the act.

You inquired as to authority for cooperative agreements between Federal departments. The draft bill makes no exception with respect to the authority under section 4 of the act (16 U. S. C. 583c) regarding interagency agreements. This is because (a) the interagency authority under section 4 pertains only to land-management plans authorized by the March 29, 1944, act and (b) other authority to cooperate with Federal agencies is considered to be ample.

We would have no objection to the enactment of this bill.

The Bureau of the Budget advises that there is no objection to the submission of this draft bill.

Sincerely yours,

E. T. BENSON,
Secretary.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. GORE:

Statement by Senator MONRONEY entitled "Oklahoma Today."

By Mr. DOUGLAS:

Radio panel discussion entitled "Labor Answers Your Questions" on the subject

Labor's New Broom, No. 2, among Al J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO; Senator DOUGLAS; and Senator MORSE.

By Mr. ROBERTSON:

Messages from Representative BROOKS HAYS, president of Southern Baptist Convention, and Gov. Thomas B. Stanley, of Virginia, on the occasion of the laying of the cornerstone of the Quaker Baptist Church; a list of contents of cornerstone box; and a chronology of the Quaker Baptist Church.

By Mr. ALLOTT:

Statement entitled "Baseball and the Antitrust Laws," prepared by Spencer M. Beresford.

By Mr. WILEY:

Article entitled "Window on Asia Is Still Murky," written by Malvina Lindsay, published in the Washington Post and Times Herald of July 1, 1957.

NOTICE OF CONSIDERATION OF NOMINATIONS BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, the Senate received today a list of 100 names of persons for appointment and promotion in the Foreign Service, and consular and/or diplomatic appointments for Foreign Service officers, staff officers, and Reserve officers.

I desire to give notice that these nominations will be eligible for consideration by the Committee on Foreign Relations at the expiration of 6 days, in accordance with the committee rule. The list will be found elsewhere in the proceedings of the Senate today.

THE UNITED STATES AND THE MIDDLE EAST

Mr. SMITH of New Jersey. Mr. President, in 8 short months, United States concern with the Middle East has helped in bringing about a number of significant successes for the forces of stability and law in that critical area. Our entrance into the Middle East was prompted by the realization of its vast importance in the struggle between the free nations and communism. We have assumed a responsibility of high magnitude which will necessitate that constant exercise on our part of wisdom, patience, fairness, and statesmanship.

Our underlying endeavor is to assist the Middle East nations to attain economic self-sufficiency, independence, and self-determination. United States policy will be vindicated in proportion as the nations of that area make gains toward these ends.

Already, Mr. President, results are being secured under the aegis of the American doctrine. The recent election victory of the pro-Western government in Lebanon and the growing strength of the government of King Hussein in Jordan are manifestations of the beneficial implementation of American policy.

The surface has barely been scratched, as we all recognize; and a vast effort lies ahead. However, it is heartening to witness these initial successes for the forces of freedom. The New York Times of July 2, called attention to these achievements in an editorial entitled "Middle East Gains"; and I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MIDDLE EAST GAINS

The Eisenhower doctrine for the protection of the Middle East against Communist aggression has scored two further successes which increase its value as a stabliizing factor in this explosive area.

One of these successes is the smashing victory of the prowestern Government of Lebanon in a national election which was in effect a plebiscite on the doctrine. After completion of the fourth and last round in the election, the Government, which accepted and espoused the doctrine, has won 50 out of a total of 66 seats in the new Parliament and on foreign policy can also count on the support of 3 prowestern independents. The opposition, which denounced the doctrine, with open backing by Soviet and Egyptian fifth columns, could capture only 13 seats. Where the issue was dramatized by such a well-known prowestern personality as Foreign Minister Malik, Lebanon's long-time representative in the United Nations, the Government policy won by nearly 50 to 1.

The other success is the consolidation of Jordan's anti-Communist government under King Hussein to the point that it can now dare what it could not dare before—to accept American military and economic aid. This aid will replace both the former British subsidy, which King Hussein was forced to renounce, and the promised assistance on which Egypt and Syria welshed. Supplemented by aid from friendly Saudi Arabia and Iraq, and possibly by British loans, it should keep Jordan from going bankrupt.

It will, however, scarcely solve the impoverished kingdom's long-term problem. That can be achieved only by large-scale development involving both the utilization of the Jordan River waters and the resettlement of the refugees who constitute a large and unstable element in Jordan's population. The present realignment of forces in the Middle East should facilitate at least a start toward a solution of these problems, which are the real keys to final peace for the whole area.

ENDORSEMENT BY THE KALISPELL CHAMBER OF COMMERCE OF FEDERAL AID TO EDUCATION

Mr. MURRAY. Mr. President, I rise to commend the national affairs committee of the Kalispell, Mont., Chamber of Commerce. This committee has concluded, and has so advised me, that Federal aid to education is needed, and that, specifically, H. R. 1, the Kelly bill, as approved by the House Education and Labor Committee, should be passed.

It is noteworthy when a local chamber of commerce group endorses Federal aid to education. The national chamber of commerce opposes this needed aid for schoolroom construction. Many of the local chambers, without making their own independent survey, parrot the line of the national organization. Some of the local chamber members in Montana, I may add, reconsider their flat stand against all Federal aid to education when they are reminded of the aid that is going to ther own communities under the 81 existing programs of Federal aid to education.

Mr. President, I ask unanimous consent to insert in the RECORD immediately following these remarks the pertinent portion of the letter I received from D. J. Korn, chairman of the national affairs committee of the Kalispell chamber.

May the action of these Montanans bestir other members of chambers of commerce to study educational needs and to help enact, rather than to oppose, the proposals for providing desperately needed facilities for this Nation's schoolchildren.

There being no objection the excerpt from the letter was ordered to be printed in the RECORD, as follows:

DEAR SENATOR MURRAY: The national affairs committee of the Kalispell Chamber of Commerce is composed of 25 respective members of the community of both political parties. The subcommittee chairman on the various subjects assigned to the national affairs committee include such men as D. Gordon Rognlien, J. H. Hawkins, Matt Himsl, and E. B. Foot. The report of the national affairs committee, made to the board of directors from time to time, is based upon the specific findings of its subcommittees. At several recent meetings of the board of directors, these findings were presented to the full board, discussed at length in open meeting, and the board has authorized and instructed the national affairs committee of the chamber to notify our Senators and Representatives in Congress of the following action taken by the board of directors on the various topics considered, as follows:

1. Education:

That there are many areas where schools are sorely needed to meet some particular circumstance where the tax base is such that money is not available for school purposes, and that Federal money is the only source which can provide the needed building program.

That H. R. 1, having received bipartisan support in its amended form of $300 million per year for construction purposes and without Federal controls, should be supported and passed. * * *

Very truly yours,

KALISPELL CHAMBER OF COMMERCE,
D. J. KORN,
Chairman, National Affairs Committee.

PROPOSED REFERENDUM ON CIVIL-RIGHTS LEGISLATION

Mr. NEUBERGER. Mr. President, on July 2 the distinguished senior Senator from Georgia [Mr. RUSSELL] proposed that the pending civil-rights legislation be submitted to a referendum of the people.

As one rank-and-file supporter of such legislation, I would be willing to accept that suggestion. I propose that the voters of all 48 States be permitted to have a plebiscite at the ballot box on the civil-rights bill now on the Senate Calendar—the bill which passed the House of Representatives in June.

I am completely, entirely, and wholly willing to abide by the results of such a referendum. If the people of the country, by majority vote, either reject or accept the civil-rights proposal, that verdict will be determining with me.

I wonder if this is the kind of national referendum which the senior Senator from Georgia had in mind. I certainly hope this is the case, and that the test can occur just as soon as possible.

Of course, Mr. President, in announcing that I am willing to abide by the outcome of such a plebiscite, I am speaking for myself only, and not for my

fellow sponsors of civil-rights legislation; for I am not authorized to speak for them.

As one of the Senators from Oregon, which was the first State ever to adopt the initiative and referendum, I am particularly in favor of the proposal of the distinguished Senator from Georgia. Incidentally, Mr. President, it is significant that our fine Southern States, which now urge a referendum on civil rights, have not seen fit to put into effect at their own State levels the initiative and referendum machinery which Oregon first adopted over half a century ago, back in 1902.

SONIC BLASTS

Mr. KUCHEL. Mr. President, my office has received a considerable number of complaints alleging damage, fright, and discomfort by reason of the activity of supersonic military aircraft in southern California as they pass the so-called sound barrier. We can all remember the tragedy that occurred in the southern part of my State a number of weeks ago at the community of Pacoima, where, by reason of a collision in the skies above that area, many schoolchildren were killed and maimed by the falling wreckage of colliding planes.

This question of supersonic military aircraft, Mr. President, creating what is called a sonic boom, presents a dangerous problem to populous areas over which military aircraft are conducting flight operations.

The Los Angeles City Council on two occasions has adopted resolutions asking the Federal Government, and particularly the Military Establishment, to eliminate this continuing hazard. I have engaged in a number of conferences, and I have reduced to writing the views I have upon the subject. I ask unanimous consent that a copy of the letter which I recently wrote to the Civil Aeronautics Administration and a copy of the letter which the Secretary of Commerce wrote to the Secretary of Defense, by reason of my comments, be incorporated in my remarks at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

JUNE 7, 1957.

Mr. WILLIAM B. DAVIS,
Deputy Administrator, Civil Aeronautics Administration, Department of Commerce, Washington, D. C.

DEAR MR. DAVIS: As I explained during our telephone conversation yesterday, the repetition of so-called sonic blasts in the Los Angeles metropolitan area and in suburban communities has become a problem of grave proportions and no little significance.

I am gratified to learn that the Civil Aeronautics Administration is cognizant of the feeling of residents of the area where such blasts have occurred. At the same time, I feel strongly that more vigorous steps must be taken to prevent recurrences of such instances as those which have prompted the Los Angeles City Council on two occasions to adopt resolutions calling upon appropriate authorities to impose and enforce stringent restrictions against the type of flying which results in such blasts.

The people of the Los Angeles metropolitan area have been assured on a number of occasions that regulatory measures would be or were being taken to limit experimental flying over the heavy-populated sections of this portion of southern California. Despite such assurances, they continue to be alarmed and on occasions made the victims of property damage by aircraft which apparently set up strong shock waves by flying at sonic speeds. In my estimation, property owners, residents, and others in the cities and towns where such blasts have been experienced are thoroughly justified in showing apprehension and in demanding more drastic action to restrain pilots and limit aircraft which are capable of producing such effects as broken windows and cracked plaster.

I do not know exactly what course might be followed to solve this problem. But I am convinced that the exercise of regulatory and police powers delegated to the Civil Aeronautics Administration is warranted to safeguard the civilian population residing and working in these areas. I earnestly hope that the CAA can find a means of giving a greater sense of security to these people and of bringing quickly to an end the disturbances which from time to time have caused real fright as well as considerable discomfort and disturbance.

I am grateful for your letter of May 8, in which you express confidence that "much progress has been made toward solving this problem." At the same time, I must share the feeling of residents of the Los Angeles area that recent experiences offer little reason for confidence that there will be "continued improvement toward eliminating the inadvertent sonic blast" through the measures so far taken.

I am taking the liberty of sending a copy of this communication to the Secretary of the Air Force in the hope it will prompt that branch of the armed services to consider again the possibility of taking action to supplement any further efforts the CAA may initiate.

With kind regards,
Sincerely,

THOMAS H. KUCHEL,
United States Senator.

THE SECRETARY OF COMMERCE,
Washington, D. C.

The honorable the SECRETARY OF DEFENSE,
Washington, D. C.

DEAR MR. SECRETARY: During the past 6 months, there has been a sharp increase in the number of complaints received by the Civil Aeronautics Administration of this Department from citizens and Members of Congress about the noise of so-called sonic blasts and actual property damage claimed.

The majority of these complaints so far have been coming from the greater Los Angeles metropolitan area, but we have received others from the east coast and the Middle West. It would seem that this problem is on the increase with the placing of more and more supersonic aircraft in military tactical squadrons. As you would expect, the identification of aircraft causing the blasts has so far been impossible because of the altitude and speed of the operation.

These sonic blasts are caused by highly compressed shock waves of air coming off the aircraft's leading and trailing wing edges when the speed of sound is exceeded. It is very difficult for the engineers to predict exactly how or in what maneuvering position the aircraft must be for the shock waves to reach the ground. It can happen in level flight under certain air conditions, but it is their belief that such shock waves usually reach the ground when the aircraft is in a diving attitude.

We have determined that many military commands have designated a specific area for the practice of maneuvers at supersonic speeds that would most likely cause sonic blasts to reach the earth. This, of course, has done much to alleviate the problem, but it still exists over large metropolitan areas. Our Los Angeles CAA office has held several meetings with factory and military command representatives, as well as with city officials, in an effort to put a stop to this annoying phenomenon, but so far they have only been able to improve it. We have explained to the citizens and the Congressmen the difficulties in determining the precise aircraft that have repeatedly caused damage. However, as might be expected, a person who has suffered actual property damage or frightening annoyance is not satisfied with anything but controlling action.

I am writing this letter to you because the only aircraft in use today in the United States capable of causing sonic blasts are operated by the various military services. As far as we can determine, there has been no incident of this sort that involved an actual violation of any of the civil air regulations, which makes it difficult for us to take any positive action. I would appreciate, and I am sure the citizens affected will also appreciate, any action you can take to call the attention of the various military commands to this problem, urging them to do everything in their power to correct it.

I am enclosing a copy of a recent letter from Senator KUCHEL, of California which outlines rather well the feelings of his constituents in the Los Angeles area.

Sincerely yours,

———,
Secretary of Commerce.

Mr. KUCHEL. Mr. President, I am grateful to the Department of Commerce for recognizing the problem involved and for urging the Defense Department, by regulation and otherwise, to give civilians protection from the activities of aircraft in this supersonic age, when, by reason of passing the sound barrier, people in homes suffer various kinds of damages, discomfort, and fright.

THE HELLS CANYON DAM

Mr. MURRAY. Mr. President, the Washington Post and Times Herald this morning carried an editorial commenting on the action of a subcommittee of the House Committee on Interior and Insular Affairs yesterday which was adverse to the proposed high Hells Canyon Dam.

Foes of the dam have said this subcommittee action kills the high dam as "dead as a dodo bird."

The Washington Post comments that if that is true "it will rise from its ashes and plague the Republicans who killed it."

Mr. President, it will rise from its ashes to haunt and plague not only the power trust's subservient political party, it will rise from its ashes to plague the power trust, and the great eastern financial institutions who manipulate it, as well.

There is a tremendous waste of resource potential involved in construction of three little runt dams instead of giant Hells Canyon Dam in the Snake River Canyon. Half the power potential will be lost. Millions of acre-feet of flood control storage capacity will be lost. Economic development in the West will be retarded by the waste of low-cost power potential. Human lives may be the price of wasted flood control possibilities.

These losses, and these ultimate costs, are the price the Nation will have to pay

to satiate the greedy appetite of the power trust and the great eastern financial institutions who are the largest stockholders in the operating companies.

It is too great a price to pay, and one day the American people will retire from office—as the Western States have retired from office—all those officials who have backed such a giveaway, and again deal with the excessive greed of these private interests as it had to do in the Insull days.

It is my hope that the full House Committee on Interior and Insular Affairs will reverse the action of its subcommittee and report the Hells Canyon bill to the House for passage. It is my hope that there will be some sober second thoughts about high Hells Canyon and the excessive price the Nation will have to pay if it is not built.

Mr. President, I ask unanimous consent to have the Washington Post editorial printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OVER THE DAM

The Hells Canyon Dam project may be, as Representative SAYLOR put it yesterday, as dead as the dodo bird; but we are inclined to think that, like the phoenix, it will rise from its ashes to haunt and plague the Republicans who killed it. The death of this project means that the choicest undeveloped dam site on the North American Continent will go to waste. It means that the Northwest region of the United States will not get the full power potential it needs for the realization of its industrial capacities. It means that the Snake River will not be harnessed and developed as wisely as prudent engineering would permit in terms of irrigation, flood control, and power potentialities. This may be a victory for private power over public power. But it is a defeat for sound development of the Nation's natural resources.

Of course the real mischief was done when previous Congresses rejected this project long before any license had been issued for construction of the Idaho Power Co.'s lesser dams. Some members of the House subcommittee which rejected the Senate-passed bill may have concluded that, after large sums have been spent on the private dams, it was too late for Congress to change its mind. The outcome ought to be a reminder to Congress that, though opportunity may knock more than once, it does not necessarily keep pounding on the door forever.

PROPOSED SENATE COMMITTEE ON VETERANS' AFFAIRS

Mr. POTTER. Mr. President, the United States Senate has sometimes been called the cave of the winds because of a certain amount of talk that swirls about in this Chamber.

Today I shall add a few metaphors of my own to those deliberative breezes. If the metaphors are jagged and scrape the shins of certain distinguished Members, they should remember that this is done as a last resort. I have tried everything else to get action on my resolution, Senate Resolution 36, which now reposes in the Committee on Rules and Administration.

The resolution provides that Senate rule XXV shall be amended to establish a standing Committee on Veterans' Affairs in the Senate. It has been pigeonholed for 5 months.

Hardly a day goes by, Mr. President, that I do not receive complaints from men and women who have served in the United States Armed Forces. As individuals and through their veterans' organizations, they are seriously questioning this state of affairs.

Pigeonholing, of course, is an old technique. It has been applied to a succession of previous resolutions for a Veterans' Affairs Committee. First, the resolutions are permitted to gather dust, then they take on the musty odor of old paper. By now, I should think, the document files of the Committee on Rules and Administration would smell like a morgue, for there lie the moldering corpses of resolutions providing for a Veterans' Affairs Committee.

Mr. President, tomorrow is the Fourth of July. It is the day on which this Nation will pay tribute to the spirit of freedom embodied in the Declaration of Independence. Almost two centuries ago a small band of brave men met to sign their names to a document which was to become the rock upon which our Nation has built a shining edifice of freedom.

Tomorrow many of us will return to our own States to make Independence Day speeches. Every word of the Declaration of Independence will be recalled with emotion. I should like to read one sentence from that historic document today:

> And for the support of this declaration, with a firm reliance on the protection of divine providence, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

"We pledge our lives," the Founding Fathers said. Mr. President, of our millions of men and women, which group of Americans has been called upon to fulfill this great pledge? Which group has gone into the valley of the shadow for the principles of the Declaration of Independence?

The American veteran has done so. It is in his behalf that I speak today. He is being short-changed.

A Senate veterans committee was first proposed in 1946. At that time the joint committee on the reorganization of Congress made provision for a veterans affairs committee in the Senate. It was stricken from the final bill, however, because the two-committee limitation would have deprived the new group of the long experience in veterans' affairs possessed by Finance Committee members, who then held exclusive jurisdiction in these matters. Former Senator La Follette observed at the time that a veterans committee would become a necessity in the near future, if only to relieve the Finance Committee of an overwhelming burden.

Shortly afterward, responsibility for handling veterans' problems was divided between the Finance Committee and the Labor and Public Welfare Committee. And there lie our veterans' problems today, gathering dust beneath hundreds of other bills on which these committees place a higher priority.

Since that time, Mr. President, former Senator Ferguson made an attempt to pass such a resolution. He was supported by a bipartisan coalition of 34 Senators. But nothing came of their efforts. Later, in 1953, Senator Ferguson made another try. And last year the Senator from Oregon [Mr. MORSE] and the Senator from Idaho [Mr. DWORSHAK] submitted resolutions similar to my own.

Today there are 22 million veterans in the United States. Together with their dependents, they represent almost half the population of the United States.

Surely the most fitting way the United States Senate could observe Independence Day, 1957, would be to establish a committee empowered to give proper attention to veterans' matters.

We owe these patriotic men and women undivided and full consideration of their special problems. This demands top priority. It is my understanding that this proposal has the support of the American Legion, Veterans of Foreign Wars, AMVETS, and Disabled American Veterans. I shall continue to work with these groups to make a Senate veterans committee a reality.

The interests of this group probably are more specialized than any other one segment of the American people. And yet their affairs continue to be tossed into the overloaded hamper of two committees, Finance and Labor and Public Welfare, which right now have enough work for half a dozen committees.

The standing committee I propose would consider proposed legislation covering pensions, life insurance, compensation, vocational rehabilitation, education, veterans' hospitals, medical care, civil relief, and readjustment of servicemen to civil life, housing, and all other matters relating to veterans.

If it were true in 1946 that the Finance Committee carried a tremendous burden, it is 12 times truer today. Our growing population is adding to their burden every day and veterans' affairs have piled up. According to my mail, our war veterans are becoming more and more disillusioned with the Senate. Where do they channel their inquiries? Not to the Senate of the United States, but to the House of Representatives. This single fact should shame the Senate into action. These men and women who have served their Nation in time of war, Mr. President, avoid the Senate. They go to the House of Representatives because that body had the wisdom to organize a committee specially designated to handle veterans' affairs.

The veterans are not asking for backstairs influence.

They are not asking anyone to pull strings.

They do not want any more stalls or flimsy stories about veterans' affairs already receiving adequate treatment in the Senate, or letters dishing them paragraphs of gobbledygook.

They want a committee.

Mr. MORSE subsequently said: Mr. President, I noted that earlier today the Senator from Michigan [Mr. POTTER] made a comment regarding his bill for the creation of a standing Senate Committee on Veterans' Affairs.

As he knows, for some time I have supported the same proposal. I wish him to know that I completely agree with the observations he made today.

As the CONGRESSIONAL RECORD will show, I have discussed this question a number of times. In my campaign last fall, I pledged to the veterans' organizations in my State that I would do all I could to have established a standing Senate committee on veterans' problems. So I desire to associate myself with the Senator from Michigan, in connection with this matter.

I wish to say now—as he said more eloquently earlier today than I could—that I think such a change in the Senate committee rules is long overdue. The veterans' organizations in the United States are entitled to have a standing Senate Committee on Veterans' Affairs created, so the veterans will not be pushed around from committee to committee, with no Senate committee having sole jurisdiction over their affairs. The matter is so important that I would be perfectly willing to support a motion to discharge the Committee on Rules and Administration from the further consideration of the Senator's resolution and to bring it to the floor of the Senate, if we cannot get some action taken by the Committee on Rules and Administration on the requests by innumerable veterans' organizations for prompt consideration of the proposal to establish a standing Senate Committee on Veterans' Affairs.

I hope my support does not shock my friend, the Senator from Michigan. I want him to know that on this issue we stand together.

Mr. POTTER. Mr. President, let me say that I appreciate the remarks of the distinguished senior Senator from Oregon. In my statement I pointed out that he has long been a supporter of the proposal I have advocated.

As the Senator from Oregon has pointed out, the veterans run into a frustrating situation in connection with the consideration of their problems by Senate committees. Whereas the House of Representatives has a standing Committee on Veterans' Affairs, no standing Senate committee has, as one of its assignments, major concern for such problems.

So I welcome the support of the Senator from Oregon. I know that with his enthusiastic support there soon will be established a standing Senate Committee on Veterans' Affairs.

Mr. NEUBERGER. Mr. President, I should like to say that today there occurred in the Senate an episode which I believe illustrates the validity of the point of the Senator from Michigan and the senior Senator from Oregon. A bill was passed by the House of Representatives dealing with social security and veterans' benefits, which provided that a veteran who had been disabled in military service, and later also had been totally disabled at a civilian job, could draw social-security benefits and also receive compensation from the Veterans' Administration. This seemed to me certainly fair and justifiable. But under the Senate version of the bill—and the bill was not considered by a committee dealing directly and exclusively with veterans' affairs—that privilege was denied to veterans. It is my hope such examples as this will serve to demonstrate the cogency of the argument made by the Senator from Michigan earlier today and by the Senator from Oregon at this time.

INFLATION IN UNITED STATES AND STATEMENTS OF THE PRESIDENT THEREON

Mr. NEUBERGER. Mr. President, last Wednesday at a White House press conference President Eisenhower was asked for his appraisal of "just how serious the threat of inflation is now." In answering this question the President declared that "a very considerable amount" of the rise in the cost of living is due to "the deliberate policy to bring to the farmer his own proper share of national income."

Because President Eisenhower's reply represents such an astonishing example of political buckpassing and erroneous economic conclusions, I would like to read to the Senate that portion which relates to his charges against the American farmer:

> Well, you have had the beginnings of a type of inflation, because, after having been successful over a period of almost 4 years in keeping the cost of living from rising more than a percent or two—I've forgotten exactly—within the past year, we now have it going up more rapidly, and that becomes alarming, because the curve bends upward.
>
> Now, part of that, of course, is due to the deliberate policy to bring to the farmer his own proper share of national income. We say "proper share"—and I am not exactly sure what that means—but, as you know, they have taken certain years to be representative of justice in this matter, and have tried to approach that through all sorts of laws.
>
> We are still—the whole country is still—experimenting with laws in that question.
>
> But that has accounted for a very considerable amount of this increase in cost.

At the outset, I might nudge the President's lagging memory by pointing out that in December 1952 the Consumer Price Index stood at 114.1. The Labor Department reported last week that the cost of living rose three-tenths of 1 percent in May to 119.6—its ninth consecutive record high and 3.6 points above a year ago.

Before blaming the United States farmer and Federal farm programs for the current inflationary trend, the President should recall these facts:

First. Programs designed to stabilize farm prices and income represent only a small portion of total Federal expenditures, and could hardly be classed as major causes of inflation. Of the President's budget for fiscal year 1957 only 3 percent was allocated to such programs while interest on the Government debt accounted for 10 percent, veterans services for 7.4 percent and national security for over 61 percent.

Second. In recent years total farm income has shrunk rather than expanded as prices paid farmers declined. This certainly cannot be regarded as an inflation-promoting tendency.

Using the 1947–49 economic base, we find that by the end of 1956, net farm income from all sources, including net changes in inventories, had decreased 10.8 percent, while prices paid by farmers for commodities, services, interest, taxes and wage rates increased 14.4 percent. During this same period corporate profits increased 47 percent and corporate dividends 69 percent.

These statistics become even more significant when we consider that in 1956 farm income rose about 4 percent, the first improvement since 1951 and reversal of a trend that pushed the average of farm prices down almost 23 percent in 5 years, while corporate earnings in 1956 declined approximately 1.6 percent from the peak year of 1955. In other words, even though agriculture made its first real gain in 5 years and industry slipped slightly over the previous year, farmers are receiving less than they did in 1947–49 while corporation earnings have increased nearly 50 percent.

Yet President Eisenhower declares, apparently on the basis of this tiny increase in farm income during 1956, that our agricultural industry is a principal cause of inflation.

In his discussion of inflation, President Eisenhower referred to policies to provide the farmer with his proper share of national income and confessed his ignorance of what such a phrase means. I would like to indicate very briefly, but I believe graphically, the problem faced by America's farmers.

In 1953 average net per capita income of the farm population was $930–$665 from farm sources and $265 from nonfarm sources. National per capita income of the nonfarm populace of the United States in 1956 was $1,875. In 1956 per capita income of the farm population was $889—$599 from farm sources and $290 from nonfarm sources. National per capita income for the nonfarm populace in 1956 was $2,010.

Thus from 1953 to 1956 net per capita income of the farm population decreased $41 while per capita income of the nonfarm population rose by $135.

I would also draw to the President's attention a report issued by the House Agriculture Committee this spring which showed that the average worker's family paid 5 percent more and farmers received 17 percent less in 1956 for the same kinds and quantities of food purchased in 1947.

This is what we are talking of when we discuss methods of insuring that our farmers receive their proper share of the national income. Judging by the President's knowledge of this problem as evidenced by his remarks last Wednesday, it will be a long time before we reach this goal for American agriculture if we rely on the present administration to lead us.

DEPORTATION OF HUNGARIAN REFUGEES

Mr. THYE. Mr. President, on June 14, 1957, I placed in the CONGRESSIONAL RECORD a newspaper article referring to three Hungarian refugees who were found to be penniless and homesick in

the State of Minnesota after they had been arrested on a traffic violation charge. I placed that article in the RECORD for the specific purpose of calling attention to some very unfortunate people. At the same time I made known to Congress that I was asking General Swing, Director of the Immigration and Naturalization Service, to grant a 2-week deferment in the hearing which was scheduled to be held in St. Paul to determine the disposition of the case of these unfortunate Hungarians.

General Swing granted the deferment. I received a communication from him, together with a complete report referring to the case. The subject is of sufficient importance that I should read the letter and report from General Swing:

JULY 1, 1957.

Hon. EDWARD J. THYE,
United States Senate,
Washington, D. C.

DEAR SENATOR THYE: Attached for your information is a brief résumé of developments to date in the cases of Bela Kutasy, Sr., Bela Kutasy, Jr., and Josef Nagyar, the Hungarian refugees who recently illegally entered the United States across the Canadian border.

Sincerely,

——— ———, *Commissioner.*

Following the apprehension of the three Hungarian refugees who had illegally entered the United States by crossing the Canadian border, the Immigration and Naturalization Service issued orders to show cause why they should not be required to leave the United States. The refugees were released from custody promptly upon the posting of bond in their behalf in the sum of $500, and a hearing was scheduled for June 14.

Because of the possible unfavorable international implications and for the purpose of affording more time to study the matter, the Immigration and Naturalization Service upon the request of Senator EDWARD J. THYE postponed the scheduled hearing for 2 weeks.

The Immigration and Naturalization Service promptly began negotiations with the Canadian immigration authorities regarding the status of these refugees and their resettlement in Canada. At the same time, conferences were held between officers of the Immigration and Naturalization Service and the attorney for the refugees, as well as representatives of religious and civic groups.

These discussions brought out the fact that one of the refugees had a distant relative residing in Montreal, and that this, coupled with possibly more favorable employment opportunities in the Montreal area, would be conducive to satisfactory adjustment in Montreal rather than in the Alberta area where the refugees had left. The refugees, and all others concerned, were in agreement that they should return to Canada and settle in Montreal.

The Canadian authorities were most sympathetic and cooperative in working out a solution, and gave assurances that the refugees would be accepted into Canada and assisted in reaching their destination. It is understood that the Canadian immigration officials have volunteered to assume the costs of transporting the refugees from Winnipeg to Montreal. The Catholic diocese in the St. Paul area has been most active in seeking a solution in this matter and has also undertaken to pay the fares to Montreal.

Pursuant to these understandings, the refugees agreed to voluntarily return to Canada as soon as transportation arrangements have been made. This has been done, and they are scheduled to depart today on Northwest Airlines at 8:35 a. m. for Winnipeg, where they will be met by representatives of the Catholic diocese and assisted in completing their journey to, and resettlement in Montreal.

Mr. President, I am happy that the ending of the unhappy experience of these unfortunate refugees has been pleasant and satisfactory to the refugees. I am confident that they will start their new life in a new country under much happier circumstances than they thought possible when they crossed the border from Canada to Minnesota and found themselves involved in a minor highway incident.

NEED FOR MODERATE-INCOME HOUSING

Mr. CLARK. Mr. President, 2 days ago, during the discussion of the conference report on the housing bill, I had occasion to refer to an article published in the Philadelphia Inquirer pointing out that pay increases have put thousands of moderate-income families out of public housing, and that many of them had to return to the slum conditions from which they had moved into public housing.

I ask unanimous consent to have the article printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PAY RISES PUT THOUSANDS OUT OF PUBLIC HOUSING HERE

(By Saul Kohler)

More than 1,000 Philadelphia families have been evicted from public housing developments and told to shift for themselves—even if it means a return to slum living—the Inquirer learned yesterday. They were forced to move because their incomes were above the prescribed limit for living in a development. Although the difference between public and private rentals is at least 20 percent, a 1-percent income rise can put a family on the street.

The difference is accentuated by the fact that public housing rents include all utilities, while private rentals generally do not.

GOT EVICTION NOTICES

In the past 5 years, a total of 1,010 families were given eviction notices, an Inquirer survey shows. Here is the breakdown:

1952	428
1953	221
1954	86
1955	101
1956	128
1957 (first quarter)	46

Each year, the Philadelphia Housing Authority examines the incomes of 11,000 families living in 19 developments. As soon as a figure goes above the prescribed maximum, the ax falls. The family gets 6 months to move and, if it fails to do so, eviction proceedings are started in the common pleas court.

NO AID GIVEN

The family gets no help in finding new quarters. Some are fortunate and can use their savings for a downpayment on a home. But with mortgage rates what they are today, most of them are left to the mercy of private housing.

The jump in salary may be minute—the jump in rents may be terrific. And many of the families, unable to buy homes and unable to pay the high rents for a decent place to live, return to the substandard housing they occupied before they were given clean, modern quarters in a development.

Walter E. Alessandroni, executive director of the Housing Authority, said the law does not provide for help in finding another place to live.

"The Redevelopment Authority and local real estate agents cooperate with us by posting available places," he said. "But after that, these people have to shift for themselves."

Alessandroni said it is unfortunate that the line must be drawn so rigidly. But the limits are set down by Federal law and, except for deductions such as union dues, uniforms and tools, they must be observed.

"These 'borderline' people are the ones we need as tenants in public housing," Alessandroni said. "Believe me, it doesn't make us happy to evict them to heaven knows what. These are the people who have the 'oomph.' They are the leaders, they are the ones most able to better themselves. From this group, you get the scout leaders and the Sunday school teachers.

"The Government's theory is that these are the people who should be evicted because they have the spirit to go ahead. Yet it doesn't always work that way and some of them end up back where they came from."

Here are the income limits for the dwellings which range in gross rent from $25 to $65 a month, depending on income and size of family:

Size of family	Admission		Continued occupancy
	Regular	Special	
1 or 2 persons	$3,200	$3,800	$4,000
3 or 4 persons	3,300	3,950	4,100
5 or 6 persons	3,500	4,200	4,350
7 or more persons	3,700	4,400	4,600

The special limit on admission applies only to those families whose private dwellings have been taken from them by public action—to make way for a highway or bridge approach or to be redeveloped.

MAY LAND IN STREET

For example, a man and wife with 2 children may not have an income of more than $3,300 (including a $100 exemption for each child and the allowable deductions) when they apply for admission to a development. If their home is to be razed for a bridge approach, their income may reach $3,950 on application. Once they move in, they may earn no more than $4,100. If the salary hits $4,200, the family runs the risk of finding its furniture on the street.

Such a family pays $56 for a two-bedroom apartment. The rent includes light, gas for cooking, heat, water, and janitor service, in a modern, light, airy building equipped with an elevator. The Housing Authority estimates that a similar apartment would rent for $70 to $80, plus utilities, on the private market.

PAY, RENTS COMPARED

At intervals of 2 to 5 years, the Federal Government orders a revision of the rents and salary limits. The last revision was completed 2 years ago. The Housing Authority must take a survey of comparability by checking the average of low-income salaries in Philadelphia industry and rents in comparable living quarters on the private market.

Should the salary limits be raised now?

Alessandroni thinks not. He cites the fact that there is a waiting list of 5,000 families who desperately need decent, low-rent quarters. Instead, he has proposed that a small percentage of ineligibles be retained in housing project—at private rental rates—to provide the leadership and add some "class." He said the plan had been rejected "because you cannot lay out a pattern that won't hurt someone."

The problem, then, rests in the class of people who earn too much to live in develop-

ments and too little to rent decent quarters elsewhere. Development Coordinator William L. Rafsky thinks more should be done for these people.

"Public housing should still aim at the families that need it the most, those earning less than $3,500," he said. "But the question is: Do you make public housing a device to care for the lowest strata and then let them shift for themselves when they go up?"

Mayor Richardson Dilworth has taken a similar position. Dilworth also has advocated that smaller developments be scattered throughout the city to minimize problems, such as minority groups.

Mr. CLARK. Mr. President, the end result is that new emphasis is given to the need for moderate-income housing such as proposed by the Senator from Alabama [Mr. SPARKMAN] but which was rejected during the conference. I hope that the measure can be resuscitated in the Senate.

THE JENCKS CASE: PROPOSED AMENDMENT TO S. 2377

Mr. MORSE. Mr. President, on Monday, July 1, the Committee on the Judiciary reported S. 2377, designed to regularize the procedure declared by the Supreme Court to be essential to due process in the Jencks decision of June 3, 1957.

The report on the bill declares:

> The proposed legislation, as reported, is not designed to nullify, or to curb, or to limit the decision of the Supreme Court insofar as due process is concerned.

Despite this statement, I fear that the bill, based upon the draft of the Department of Justice, would, in its present form, do what the committee report states is not intended. So far as the committee is concerned this result appears to be inadvertent.

Therefore, I am submitting an amendment for myself and Senators NEUBERGER, MURRAY, CLARK, HENNINGS, and LANGER, in the hope that the committee and the Senate will study the proposal before the bill is called up for consideration. When debate is held, I shall discuss this defect, and other questions that cause me grave concern, in greater detail. When the Senate deals with guaranties of due process and fair procedure it is vital that it do so with care and deliberation. I understand that the committee acted with speed from a desire to provide procedures which would prevent abuse of the rights declared in the Jencks decision and the uncertainty, of some at least, as to how far the decision reaches.

I digress from my prepared statement momentarily to say that I even have serious doubt as to whether any legislation at all is needed or is desirable, because under our system of Government Congress ought to be very slow and careful and thoughtful before it seeks to set itself up as a super Supreme Court to tell the Supreme Court how it should interpret the Constitution of the United States.

Basically, we have to consider the precious issue of due process and the right to a fair trial on the part of anyone who is accused of crime in America. In a very real sense, our liberties stem from due process under the Constitution. I am always very slow to conclude that the Supreme Court, with the solemn obligation it has to protect the American people and their constitutional rights by judicial process, has made some gross mistake which threatens the administration of justice from the standpoint of law enforcement, as so many of the critics are saying these days about the Supreme Court.

I suggest, first, that many of the critics give more evidence that they have even read the Jencks decision and more evidence that they have read the supporting precedents upon which the Jencks decision is based.

But if we are to have legislation, then I respectfully submit that the amendment I am offering today is very much needed in order to protect what I consider to be some very precious rights of Americans in the whole field of fair trial.

Furthermore, I think the amendment is needed if the bill which the Committee on the Judiciary has reported will itself subsequently stand the test of Supreme Court review, because, let us not forget, we can pass all the legislation we wish to in the Senate; but if in the legislation we transgress upon constitutional guaranties, thank God there still is in America a Supreme Court to check the Senate, if necessary, and the House of Representatives, too, when it comes to the guaranty of due process.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. CLARK. I should like to indicate my agreement with the suggestion of the distinguished Senator from Oregon that the proposed legislation is hastily conceived and, in all likelihood, is unnecessary. I have cosponsored the Senator's amendment, but in the hope very much that the Senate will proceed with all deliberate speed in connection with the matter because, in my judgment, if the bill were held over until the 2d session of the 85th Congress, it would never be passed at all, because it would have become abundantly apparent that there was no need for it.

I think the Senate should be very hesitant, indeed, to intervene in questions of Federal judicial procedure. We should not be panicked into action because, in a hurry, the Attorney General comes forward and asks, on a scare basis, for a piece of legislation designed to accomplish a purpose which, in my judgment, could be far better accomplished, so far as the objectives are concerned, by the orderly procedures of the Federal courts.

Mr. MORSE. I completely agree with the observations of my colleague from Pennsylvania. I appreciate his cooperation with me as one of the cosponsors of the amendment, if we are to have any legislation at all.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The time of the senior Senator from Oregon, under the limitation during the morning hour, has expired.

Mr. MORSE. I wonder if my colleagues, in the interest of saving time, would give me 5 more minutes in order to finish my statement.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and the Senator may proceed.

Mr. MORSE. For my part, I would not have the Court's decision used as a pretext for fishing expeditions into FBI files on matters unrelated to the testimony of Government witnesses. The Court's opinion does not seem to me to carry such a threat. However, I can conceive of problems of administering the decision which Congress can help avoid by enacting a procedure to assure defendants' rights, and at the same time protect data in FBI files from inspection by defendants which is unrelated to their case. These are the desirable aims of such legislation, and we should not be rushed into sacrificing either.

The Supreme Court held, in the Jencks case, that defendants in a criminal prosecution brought by the United States should have access to earlier statements and reports of Government witnesses. And rightly so, because, let me stress, it would be a police-state tactic if we ever embedded in our system of justice in the United States any power in the Government to keep from a defendant information to which he is entitled in order to have a fair trial. I do not care whether the information is in the files of the FBI or in any other Government files. There is no place in America for a police-state tactic which keeps locked up from free men and women charged with crime, information which, under due process, they are entitled to have if they are to have a fair trial.

I do not intend to allow FBI files to be made a sacred cow in our system of government when it comes to the application of the due-process clause of the Constitution of the United States.

So the Supreme Court, in the Jencks case, issued a long-overdue warning in the administration of criminal justice in America when it said:

> We now hold that the petitioner was entitled to an order directing the Government to produce for inspection all reports of Matusow and Ford in its possession, written and, when orally made, as recorded by the FBI, touching the events and activities as to which they testified at the trial.
>
> The bill, as reported, would limit the inspection to reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

I say that is a point of inadvertency on the part of the Judiciary Committee. I do not think they have stopped to analyze the procedure which is followed in collecting these statements.

A comparison of the language of the Court and the bill's provision shows that the bill includes conditions not contemplated by the Court.

In practice, most prospective witnesses interviewed by the FBI or other Government investigatory agents are not given the opportunity to see the summary of their interviews.

How many Senators have ever seen a summary of an interview with the FBI? How many Senators, when they have been interviewed by the FBI, have ever

signed the FBI summary of interview? That is not the way the FBI collects a great deal of its information. One major catch in the bill concerns signed statements or statements approved by the witness.

In effect, then, the bill contains a condition which in the vast majority of cases would not and could not be met in practice.

Indeed, the condition of the bill leaves it up to the FBI and other agencies to change their procedures so as to avoid completely the duties imposed and the rights declared in the Jencks case. This can be accomplished by the simple expedient of discontinuing written reports in the few cases in which informants have given their information in that form.

It would be a very easy thing for the FBI to do. A new rule could be issued as to the collection of information, in order to get around the decision of the Supreme Court.

It is to this defect of the bill that the amendment is addressed. It would strike out the passage quoted, namely:

> Reports or statements of the witness in the possession of the United States as are signed by the witness, or otherwise adopted or approved by him as correct relating to the subject matter as to which he has testified.

And substitute:

> Any record in the possession of the United States which contains a recitation or the substance of any oral or written statement previously made by the witness touching upon the substance of the testimony of that witness.

The amendment thus made would preserve the intent of the Jencks decision that summaries of information given by the witness be available to the defense for purposes of impeachment of the witness.

POWER OF THE COURTS

The bill, as reported, further provides that it is up to the judge to decide what in the Government document is relevant; and only that portion of a witness' prior statements or reports, or summary thereof, shall be made available to the defendant.

Mr. President, this is a serious defect. In the United States, a judge cannot be substituted for a defendant's counsel. The defendant's counsel has the duty of protecting the rights of the defendant, insofar as the preparation and presentation of his defense is concerned; and the Congress has no right by legislation to seek to make the court the counsel for the defendant. The court has the duty of passing on the evidence, and the court must not be given the assignment of determining the form of the defense of the defendant.

I submit that to follow such a process is not due process.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). Under the 3-minute rule, the time available to the Senator from Oregon has expired.

Mr. MORSE. Mr. President, I have left a page and one-half of manuscript. I am willing to resume later. However, I see that my good friend, the Senator from Kentucky, who is seeking the floor, indicates that he is willing to accommodate me.

Mr. KNOWLAND. Mr. President, I have no objection to having the Senator from Oregon proceed for an additional 5 minutes during the morning hour.

Mr. MORSE. I shall not need that much time. I thank my friend, the Senator from California, for his courtesy.

The PRESIDING OFFICER. Without objection, the Senator from Oregon may proceed.

Mr. MORSE. Mr. President, in my judgment there is something to be said for giving the court some control over what shall be made available for inspection. The FBI, for example, should be protected from producing for inspection all of a document which relates in part to the witness' testimony, but also relates to other crimes by the defendant or other persons still under investigation.

The FBI should not have to show all the documents; and the court should have the power to make perfectly clear that the defendant and his counsel shall be limited, in examining the file, to the information dealing with the witness, in connection with the crime for which the defendant has been indicted. But as to that material, no judge should have the power to deny the defendant or his lawyer access to it, because it is vital to the defense; and there cannot be a fair trial if a defendant is denied access to the material which bears on the offense with which he is charged.

However, in my view, the burden should be on the Government to show that its activities would be impeded in dealing with investigations other than those involved in the case being tried, and only that material should be withheld. Any material which deals with the alleged crime for which the defendant is being tried should not be withheld.

The Supreme Court said:

> We hold, further, that the petitioner is entitled to inspect the reports to decide whether to use them in his defense. Because only the defense is adequately equipped to determine the effective use for purpose of discrediting the Government's witness and thereby furthering the accused's defense, the defense must initially be entitled to see them to determine what use may be made of them. Justice requires no less."

Mr. President, I say to my constitutional lawyer friends in the Senate that they should mark well that language in the Jencks case, because in my judgment it deals directly with the due process clause.

Mr. President, the Congress cannot permit a trial judge to make such a decision for the defendant. The defendant must be allowed to prepare his own defense.

If the bill in its present form, as reported from the Committee on the Judiciary, were enacted into law, I would not be at all surprised to find that it would run directly into the due process clause, because in my judgment the Supreme Court would say, in effect, "You are seeking to interfere with the right of the defendant to pass judgment upon what evidence shall be available to him, from Government files, in his own protection, for his own defense."

Mr. President, anyone who has tried a case knows the truth of what the Court said. The judge cannot know the potential relevance of all parts of a prior statement to the evidence given by a witness to the extent, at least, that a defendant can.

If the judge is to perform a function in superintending discovery and inspection of statements or summaries in Government files, he must do so to protect both the defendant and the Government.

The bill, as reported, does not do this. It gives the trial judge authority which the Supreme Court said he should not have. Indeed, the provision of the bill may be a fatal defect under the Supreme Court's decision.

At the least, the committee should clarify the intent of this provision of the bill.

Better yet, the committee should propose an amendment to cure the apparent deficiency of the latter part of present subsection (b).

If it should not do either, there is a possibility verging on probability that the bill would not withstand attack before the courts, even if it should withstand the attack in the Senate which I know would come.

Mr. President, I close with a fervent plea on my lips that the Senate will study the Jencks case, because I respectfully submit that here we are dealing in too much haste with a precious right in criminal jurisprudence which should accrue to all defendants the right to make sure that their Government does not withhold from them a single piece of paper which bears on their case, and which they might need in preparing their defense. If we do not keep sacred that protection, once again we shall run the danger of establishing another tactic of a police state; and in the great temple of democracy there is no room for even a vestige of police state procedure.

The PRESIDING OFFICER. The amendment will be received, printed, and lie on the table.

THE SITUATION IN ALGERIA

Mr. MORTON. Mr. President, I ask unanimous consent that I may address the Senate for 5 minutes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? Without objection, the Senator from Kentucky may proceed for 5 minutes.

Mr. MORTON. Mr. President, on yesterday we were privileged to hear a very thought-provoking address, by the distinguished Senator from Massachusetts [Mr. KENNEDY], dealing with one of the most tragic and critical situations which exists in the world today. His remarks show a thorough knowledge of the key factors involved in the Algerian-French struggle. It is clear that he gave careful thought and study to the preparation of his address. His speech was made in the spirit of trying to be helpful in solving this most complex problem. I am sure that what he had to say will arouse great interest in the Congress of the United States, the executive branch,

among the people of this country, and among the people of France and Algeria.

While I was deeply impressed with much the distinguished Senator from Massachusetts had to say, I do not believe, frankly, that his description of the present situation was in full perspective. I do not think that all aspects of the problem were fully portrayed. As I pointed out yesterday, it seems to me that he has underestimated the difficulties involved in finding a solution. Moreover, I do not think he has given full expression and importance to the efforts made by the French Government in endeavoring to resolve the conflict. Finally, I am not sure in my own mind that the formula he has proposed would be really helpful in working out a solution.

The Senator from Massachusetts has only touched on the problem of the existence of over 1 million Frenchmen permanently residing in Algeria. These are not all vast landowners or "colons," as they are commonly termed. These largely consist of small farmers, shopkeepers, and professional people. They have lived in Algeria for generations. They are more Algerian than French. They have no place to go in France, should they be driven out of Algeria or otherwise dispossessed. These people are naturally concerned by the prospect of an independent Algeria, where they would become a minority, and possibly an oppressed minority, in a country whose religion, laws, and customs might become completely different from their own.

It is the existence of these people that makes Algeria unique, and makes the Algerian problem quite different from the usual colonial problem. In no place in the world have we ever had a situation quite comparable. Neither in India, Morocco, nor any other country which has recently gained full independence has the European population composed one-ninth of the total. It is thus clear that the French Government has before it an agonizing problem.

Moreover, the pressures generated as a result of this special situation create a political atmosphere in which it is extremely difficult for the French Government to chart a purely objective course. All one has to do in order to get an idea of the political problems now confronting the French Government is to suppose that more than 3 million Americans were residing, as a minority, in an area which was demanding independence. The political pressures which such a situation would create in the Congress can well be imagined.

The Senator mentioned only briefly the policies enunciated by the French Government, and the impression was given that French policy is still aiming toward complete integration of Algeria with France. I do not think that this is an accurate description of recent developments. As enunciated by former Premier Guy Mollet on January 9 of this year, the French Government has come out completely in favor of elections by universal suffrage throughout all of Algeria. That is to say, the French Government is pledged to give each Moslem equal voting rights with the French, which would accordingly do away with the former system, which gave greater weight to the Frenchman's vote.

However, before holding fair elections, it is obvious that peace and order must first be restored. The French have offered, with no strings attached, a cease-fire to the Algerian rebels. No retaliation would be undertaken against those who had until now carried arms against France. Ninety days after restoration of order, elections would be held. Guy Mollet further pledged that the French Government would then undertake to work out with such duly elected Algerian representatives a new statute providing a large measure of autonomy for Algeria.

The Front of National Liberation, the leading rebel organization, has so for rejected the French offer, insisting that the French Government first recognize Algerian right to independence and the Front of National Liberation as the provisional Algerian Government. It is evident that no French Government could survive if it accepted such terms.

Nor would the turning over of the future Algeria to a small fanatical force, supported by Colonel Nasser, be necessarily in the interests of the Algerian people or in the Western interest in general. The present French Government has maintained Mollet's cease-fire offer, and pending acceptance of this program, has decided to go ahead decentralizing the Algerian administration, holding elections where possible, and thereby building up gradually a structure of self-government.

I do not wish to imply that I think French policies have been forthright and liberal in every instance. Nor am I insensitive to the well-justified demands of the Moslem people of Algeria for greater self-government. Moreover, any contribution to the solution of the tragic conflict should certainly be most welcome.

I seriously wonder, however, whether it would be particularly helpful for the United States to inject itself directly into such a complicated issue. I am sure this body would not be appreciative if a foreign congress proposed a formula for resolving an issue which touched so closely the American people. I strongly suspect that the type of action which the Senator from Massachusetts contemplates will tend to stiffen the Franch position, hamper the efforts of French liberal elements, and thereby jeopardize the prospect for the French coming forth themselves with liberal solutions. It does not seem to me, therefore, that the action proposed is really helpful or capable of contributing to a peaceful settlement of the Algerian conflict, which is certainly what we all desire, including both the Algerians and the French.

Let us bear in mind that France has been at war almost constantly for the past 18 years. The French people have faced some very difficult political and economic problems. Since World War II five independent nations have been established from former French colonies. They are Vietnam, Cambodia, Laos, Tunisia, and Morocco. The French still are faced with the problem of meeting the aspirations of the Algerian people for freedom. I believe that a solution of the problem can be found. I know from my own experience in the Department of State that those who are entrusted with the conduct of our foreign affairs are interested in helping the French and the Algerians in resolving peacefully and justly the bitter conflict. I also know from personal experience that this Government did use its good offices when the question of self-government for the five nations mentioned above was a burning issue both in France and the nations involved.

I certainly think, Mr. President, that our country should be found on the side of liberty and freedom for all peoples. I think history proves that in all cases where the determination was properly ours we have acted in conformity with our own great tradition of freedom. Both inside and outside the United Nations the record of the United States in regard to colonialism is a good record. I do not mean to imply that we as a nation can be content merely to stand on the record. We must continue the active championship of liberty and freedom. New policies must be formulated and implemented from time to time. However, such new policies must be carefully considered in the light of all factors concerned; else our efforts might retard the very goals we seek.

ADOPTION OF KOREAN ORPHANS

Mr. MORSE. Mr. President, on January 25, 1957, I cosponsored, with my very able colleague, the present Presiding Officer, the junior Senator from Oregon [Mr. NEUBERGER], Senate bill 866, which seeks to expedite the procedures for bringing into this country Korean orphans whom American families wish to adopt.

As we pointed out, a good many of these orphans were fathered by American servicemen and they are illegitimate children. I think the only moral thing to do is seek to make it as easy as possible for American families that wish to adopt those children to proceed to do so. There can be no question about the fact that those children are suffering greatly in Korea. They are in orphanages which in many instances are not the most desirable. I think there ought to be hearings and early action on S. 866, but it has been languishing in the Judiciary Committee of the Senate. It has not even been scheduled for hearings.

I felt, Mr. President, without any reflection upon the Judiciary Committee, that it became my duty to formally request the Judiciary Committee for action on the bill. Therefore, I sent to the chairman of the Judiciary Committee, the Senator from Mississippi [Mr. EASTLAND], a letter in which I courteously and respectfully asked for early hearings on the bill, so it could be reported and placed on the calendar and the Senate could pass upon the bill, as I think it is our humanitarian duty to do.

I therefore ask unanimous consent that there be printed in the RECORD at this point in my remarks a copy of the letter I sent to the chairman of the Senate Judiciary Committee.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JULY 2, 1957.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary, United States Senate.

DEAR MR. CHAIRMAN: Upon calling the Subcommittee on Immigration this morning I was very much distressed to learn that S. 866, which was introduced on January 25, 1957, by Senator NEUBERGER and myself, is still pending in the subcommittee, apparently with no action planned or hearings scheduled.

This does not seem to be in keeping with the views you expressed on the floor of the Senate on June 19, 1957, when you said, in replying to Senator NEUBERGER: "I think that such a bill as that referred to by the Senator (S. 866) will soon be on the Senate Calendar. I hope so. I may say, as chairman of the subcommittee, I favor such a bill." Nor does this lack of action by the subcommittee seem to be in keeping with the high humanitarian purpose of the bill to admit to this country for adoption young and helpless orphans who are victims of war and its aftereffects. Many of these children, who were fathered by our servicemen in Korea and other parts of the Far East, are badly mistreated in the country of their birth and most of them are underfed, undernourished, and therefore susceptible to disease.

In this country there are many wonderful people who are not only willing but eager to adopt these children and give them every opportunity to grow into fine, upstanding, and useful American citizens. However, because there are no visas available for the children to be united with their adoptive parents they must continue to languish in the inadequate orphanage facilities provided for them until S. 866 is passed and enacted into law.

Both Senator NEUBERGER and I have introduced a number of individual private bills for the more urgent of these cases, but it seems to me that this is unnecessarily burdensome to your committee and the process could be obviated by passage of one bill, S. 866.

I hope you and your committee will feel that our bill can be reported out favorably in the very near future.

Sincerely,

WAYNE MORSE.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, is morning business concluded?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

DISPOSAL OF FEDERALLY OWNED PROPERTY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 539, Senate bill 1520.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1520) to amend an act entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. REVERCOMB. Mr. President, I wish to thank the distinguished acting majority leader, the Senator from Montana [Mr. MANSFIELD] for calling up this bill. It is a bill dealing with the restoration of a dam on the Little Kanawha River in West Virginia.

In 1956 the Congress passed an act to provide for the disposal of federally owned property at obsolescent canalized waterways, and for other purposes. Among the properties affected were some five dams on the Little Kanawha River. At one time that was a navigable stream and carried a great deal of commerce. Over the years the situation has changed, and the stream is no longer used for navigation, because the principal product and the principal article of commerce was oil, which has ceased to be produced in the quantities it once was. Other methods of transportation have also been used.

Among the dams which were abandoned and disposed of was one known as dam No. 3. I am advised, Mr. President, that in 1956—and perhaps while the bill was under consideration—dam No. 3 washed out, with the result that the water level was lowered for a considerable distance. The effect of that was to injure and destroy the banks, causing them to fall into the water and recede. However, the most damaging result was the lowering of the water level in that area. The people obtain their water in large part from wells. The wells dried up.

The water supply of the town of Elizabeth was affected, and the water supply for the homes of many people who lived up and down the river was affected.

It is felt, Mr. President, that if the Government is to turn back this dam, originally built in 1874, more than 75 years ago, it should be returned and restored in a permanently safe condition, and that it should not be returned to the people in its destroyed condition, with the resulting damage which will continue.

The purpose of this bill is to amend the previous act. I think there is ample justification for the action proposed whereby dam No. 3 will be restored, at a cost not to exceed $150,000. If the cost should be greater than that, the local people will have to defray it.

I believe that is a complete explanation of the bill, and I appreciate being given the opportunity to make this statement to the Senate.

The PRESIDING OFFICER (Mr. MORSE in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 2 of the act approved August 6, 1956, entitled "An act to provide for the disposal of federally owned property at obsolescent canalized waterways and for other purposes," Public Law 996, 84th Congress, 2d session, is hereby amended by adding the following: "*And provided further*, That in lieu of preparing dam No. 3 on the Little Kanawha, W. Va., for abandoning, such funds may be expended for modification of the lock and restoration for said dam either as a movable or fixed type dam, but not to exceed $150,000, contingent upon local interests furnishing such additional funds as may be necessary and agreeing to accept the property and take over operation and maintenance of said structure."

INCREASED EXPENDITURES BY COMMITTEE ON FOREIGN RELATIONS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 152, a resolution reported by the Committee on Rules and Administration this morning, which deals with appropriations for the Committee on Foreign Relations.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 152), as follows:

Resolved, That the Committee on Foreign Relations is authorized to expend from the contingent fund of the Senate, during the 85th Congress, for the purposes specified in section 134 (a) of the Legislative Reorganization Act of 1946, $10,000 in addition to the amount authorized in such section.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

Mr. MANSFIELD. Mr. President, this resolution was reported unanimously. It is the usual procedure followed by the committee. I urge the adoption of the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

ADDITIONAL FUNDS FOR SENATE OFFICIAL REPORTERS OF DEBATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the resolution reported by the Committee on Rules and Administration having to do with the proposed payment for additional reporters.

The PRESIDING OFFICER. The clerk will state the resolution.

The legislative clerk read the resolution (S. Res. 156), as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate, to the Official Reporters of the Senate debates and proceedings, during the period July 1, 1957, to December 31, 1957, so much as may be necessary, not to exceed $20,000, for the employment of additional office personnel.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the resolution.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

RATES OR CHARGES FOR TRANSPORTATION SERVICES BY CONTRACT MOTOR-VEHICLE CARRIERS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar No. 341, S. 943.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill (S. 943) to amend section 218 (a) of the Interstate Commerce Act, as amended, to require contract carriers by motor vehicles to file with the Interstate Commerce Commission their actual rates or charges for transportation services, which had been reported from the Committee on Interstate and Foreign Commerce with amendments on page 2, after line 3, to strike out:

(3) By changing the second word in the fourth sentence from "reduction" to "change"; and

And, in lieu thereof, to insert:

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner."

On line 21, after the word, "or", to insert "less than", and

On page 3, line 2, after the word "or", to insert "less than"; so as to make the bill read:

Be it enacted, etc., That section 218 (a) of the Interstate Commerce Act, as amended (49 U. S. C. 318 (a)), is further amended as follows:

(1) By striking from the second sentence thereof the words "the minimum rates or charges of such carrier actually maintained and charged" and substituting therefor the words "the actual rates or charges of such carrier";.

(2) By striking from the third sentence the words "minimum charges" and substituting in lieu thereof the words "actual rates or charges";

(3) By striking out the fourth sentence up to the semicolon and inserting in lieu thereof the following: "Nothing herein provided shall be so construed as to require such carriers to maintain the same rates, rules, and regulations for the same services for all shippers served. No reduction shall be made in any such charge either directly or by means of any change in any rule, regulation, or practice affecting such charge or the value of the service thereunder, nor shall any new charge be established, except after 30 days' notice of the proposed change or new charge filed in the aforesaid form and manner".

(4) By changing the sixth sentence up to the proviso to read as follows: "No such carrier shall demand, charge, or collect compensation for such transportation different from the charges filed in accordance with this paragraph, as affected by any rule, regulation, or practice so filed, or less than the minimum rate or charge as may be prescribed by the Commission from time to time, and it shall be unlawful for any such carrier, by the furnishing of special services, facilities, or privileges, or by any other device whatsoever, to charge, accept, or receive compensation different from the actual rates and charges so filed, or less than the minimum charges so prescribed:"

Mr. SMATHERS. Mr. President, this is a bill requested by the Interstate Commerce Commission. It proposes to amend the Interstate Commerce Act so as to require that in the future actual rates shall be filed instead of minimum rates, as has been the case heretofore.

The subcommittee of which I am chairman held hearings on the bill. Many witnesses appeared. As a result of the hearings we prepared an amendment. The Senator from Oklahoma [Mr. MONRONEY] proposed an amendment, which subsequently had to be amended by an additional amendment offered by the Senator from Ohio [Mr. BRICKER].

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

Mr. SMATHERS. Mr. President, at this time I should like to offer an amendment and have it stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, at the end of line 9, it is proposed to insert the following: "and by striking out the period at the end of such sentence and inserting in lieu thereof a colon and the following: '*Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges.'"

Mr. SMATHERS. Mr. President, I urge the adoption of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, I urge the passage of the bill, as amended. There was no objection to it by any person who appeared before the committee.

The PRESIDING OFFICER (Mr. MORTON in the chair). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. SMATHERS. Mr. President, I ask unanimous consent that I may have printed in the RECORD a statement in connection with the bill just passed.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 943

The proposed amendment would add a provision to the law which would relieve contract carriers serving only one shipper from filing their actual rates or charges. Under the language of this amendment the contract carrier must have rendered continuous services to the shipper for a period of at least 1 year. Having so served, the contract carrier would then qualify under this amendment and be relieved from filing their actual rates and charges.

The amendment reads as follows: "*Provided*, That any contract carrier serving but one shipper having rendered continuous service to such shipper for not less than 1 year may file reasonable minimum rates and charges unless the Commission in any individual case, after hearing, finds it in the public interest to require the filing of actual rates and charges."

One reason advanced for this suggested amendment is that a number of contract carriers provide services that are not competitive with common carriers; consequently, there is no reason to require disclosure of actual rates. Contract carriers who now serve but one shipper are required, under existing law, to file schedules on minimum rates and charges actually maintained and charged. The courts, in *Auto Transports, Inc.* v. *United States*, affirmed per curiam (343 U. S. 923 (1952)), have held under the existing statute providing for filing "minimum rates and charges actually maintained and charged" that a contract carrier serving a single shipper must file actual rates. Enactment of S. 943 with Senator MONRONEY'S amendment would change the present law, as decided in the Auto Transports, Inc. case. This amendment would, in effect, provide a measure of relief for legitimate contract carriers and give greater stability to our contract carriers.

I should like to add that this amendment has been cleared by Senator BRICKER, the ranking Republican member of our committee, and I believe this provision has great merit. I earnestly urge its adoption.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

WORLDWIDE BAN ON NUCLEAR TESTS

Mr. MANSFIELD. Mr. President, before the unfinished business is discussed, I should like to make a few remarks relative to the present situation with regard to "clean" and "dirty" bombs.

Mr. President, the desirability of a test ban on big nuclear tests is the most controversial issue that confronts the nations of the world today. There are many proposals coming from the capitals of the world and from many prominent individuals. These proposals differ largely in matters of degree. The Soviet Union has made a number of attempts to seize the initiative in promoting a worldwide ban on nuclear tests. Propaganda or not, we must admit that these Soviet proposals have put the nations of the Free World on the defensive. It is time that the United States forcefully reassumes its leadership.

As I have stated on previous occasions, I feel that a multilateral ban on the testing of nuclear weapons of one megaton or more in strength would be in the best interest of the peoples of the world, both from a defense and humanitarian point of view.

My views on this subject are known, as are the views of many of my colleagues here in the Senate. Many scientists and lay people have expressed their thoughts on this topic. What disturbs me greatly is whether this country, as the most powerful nation in the world, has a firm policy on this, the greatest of all issues. I really do not know, and from all public sources of information I am forced to assume that the President, his associates and his advisers in the administration are not unified in the formulation of a firm policy on the continued testing of nuclear weapons.

In November of 1956, President Eisenhower stated that he opposed a ban of any kind on the continued testing of nuclear weapons. On the eve of the 1956 presidential election, Dr. Edward Teller and Dr. Ernest Lawrence, of the University of California Radiation Center, issued a statement that "the radioactivity produced by the testing program is insignificant." This statement, though disputed by some, had considerable effect on the thinking of many people at that time.

In the months that have passed since the presidential election, the growing support for some kind of test ban has become very vocal, and President Eisenhower has come to look more favorably upon the desirability of a nuclear test ban. Just recently, Dr. Teller and Dr. Lawrence joined with the Chairman of the Atomic Energy Commission in reporting to the President that this country now knew a way of making virtually clean superbombs in which the radioactive fallout could be cut down by 96 percent. Prior to this announcement the administration had committed itself to a ban on nuclear tests under stringent conditions as a part of an overall disarmament program.

Now, however, the President has said, that while he would still stand by the heavily conditioned United States offer to join in a ban on atomic tests, he thought there was much to be said for continuing tests in order to eliminate the fallout dangers to the fullest possible degree.

Let me say at this point that regardless of the source of scientific information, it would seem unreasonable to depend on only one source on such a vital issue. Advice from other learned scientists should also be considered. During the course of the recent Joint Atomic Energy Committee hearings, AEC scientist Dr. Alvin C. Graves testified that complete cleanliness in hydrogen bombs was impossible.

In recent weeks the clean bomb has been used as a major argument favoring the continued testing of large hydrogen weapons. Let us consider for a moment the various ramifications of a clean versus the dirty bomb.

I think the first important consideration is to recognize that if it is possible for this country to perfect a clean bomb, the question arises as to whether we can be assured that Great Britain, the Soviet Union, and any other nation which would become a nuclear power would also be able to perfect clean bombs. We must remember that our nuclear test explosions are not the only ones which spawn radioactive particles into the atmosphere. Are we willing to give our formula to the Soviet Union so that she can continue her tests without contaminating the atmosphere?

Another point we must consider is that if we do perfect a bomb that is 95 or 96 percent clean, the percentage that is still dirty in one of these bombs in the megaton range would still release more fallout than the atomic bomb dropped on Hiroshima.

Proponents of the clean bomb say that such bombs could be used tactically in battlefield operations without unnecessarily injuring civilians with fallout and without contaminating the ground so that invading troops could not enter. Conversely, it could be argued that the dirty bomb is more desirable because it would contaminate an area for a long period of time, making it inaccessible.

Because of the tremendous force embodied in a megaton bomb that is, in terms of millions of tons of TNT, the initial destruction from the explosion and the heat creates total destruction over areas covering several miles. It would seem difficult to limit a target to a specific military installation without bringing death and destruction to hundreds of thousands of innocent people.

I am not at all convinced that the use of a clean bomb would automatically displace the use of hydrogen weapons which would spread radioactive fallout over a large area.

We, as Americans, may not use dirty bombs, but who is to say that the aggressor will do likewise? I feel that this yen to perfect clean bombs is leading us to an unattainable goal of perfection in war.

It is time for realism. The advantages and disadvantages of clean and dirty bombs will be cast to the winds if, God forbid, the world should become embroiled in another world war.

I feel that the greatest contribution to a worldwide disarmament program would be a multilateral agreement among the nuclear powers to end the testing of large hydrogen weapons of one megaton or more in strength. Such an agreement is enforcible because, from all information available, it would be impossible for any nation to test such a large weapon without being detected.

This, I feel, can be the first step in any sound disarmament program. It is virtually impossible to bring about a complete disarmament agreement among the major powers without approaching it on a step-by-step basis. The administration is to be commended for proposing at the current Disarmament Conference in London a ban on nuclear tests for a 10-month period if, at the same time, the Soviet Union will agree to stop the manufacture of such weapons. I express the hope that should our proposal fail, because of an "all or nothing, take it or leave it" basis, negotiations would be continued in the hope that some small step-by-step agreement could be reached in this difficult and delicate field.

I wish to make it clear that I do not suggest that we discontinue the testing and perfection of small tactical nuclear weapons. This is very necessary to maintain our military strength in the atomic age until there is an ironclad disarmanent agreement.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "The So-Called Clean Bomb," written by William H. Stringer, chief of the Washington Bureau of the Christian Science Monitor, and published in the July 1, 1957, edition of that newspaper.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SO-CALLED CLEAN BOMB

(By William H. Stringer)

WASHINGTON.—The prospect that a clean hydrogen bomb can be developed—that is, one which produces a negligible fallout—undeniably has altered the disarmament picture.

All of the great and compelling reasons for disarmament still remain—and most of the reasons for reaching a limited first-step agreement at the London disarmament talks. But to the other arguments which have been made to President Eisenhower for proceeding cautiously, and for insisting on a first-step package deal which would include almost everything under the disarmament sun, there now is added the argument that further testing for 4 or 5 years would yield a fairly clean bomb.

Since the United States ultimately will embrace disarmament because it is to its own self-interest and safety and not because of some global demand for halting bomb tests, this concept of the clean bomb and what it may mean to weapons policy and armaments is worth examining.

First of all, the clean bomb means that a nation could launch a nuclear war which would not, because of deadly radioactive fallout drifting down on all alike in the months following, threaten the aggressor as well as the victim with annihilation. This is a crucial consideration.

It means that if an aggressor could launch a sneak attack he might conceivably get away with it. He would not himself be punished by the backfire of fallout. This kind of bomb actually makes nuclear war less unthinkable to a desperate dictator. And by that very fact it makes disarmament all the more imperative. For to a small degree that deterrent of mutual terror is alleviated by the clean bomb.

Secondly, the clean bomb gives added flexibility and efficiency to small nuclear weapons—the kind on which Washington is relying for defense against limited wars and nibbling aggression. As one nuclear scientist puts it, a small nuclear weapon without fallout is more like a supercharge of TNT. A Korean aggression could be repelled—perhaps made impossible—with a few small nuclear bombs hurled by plane, cannon, or rocket. Defense is accorded a real chance in brush-fire wars.

Ernest O. Lawrence and Edward Teller—the Government's own brand of atomic special pleaders who were brought to the White House by Lewis L. Strauss, chairman of the Atomic Energy Commission, to see President Eisenhower last week—argued that the AEC needed more time to perfect these smaller tactical weapons. Tactical nuclear weapons, and particularly those whose scatter-blast effect is lessened because fallout is vastly curtailed, could provide at least a partial answer and deterrent to the massed man-

power capabilities of the Soviet Union and Communist China. In any showdown it would be massed firepower countering massed manpower.

Finally, bombs without fallout can be more readily used over a nation's own cities in defense against enemy aircraft or even, conceivably, against enemy guided missiles. It seems fantastic to believe that any barrage of nuclear explosives could intercept a shower of intercontinental guided missiles raining down at far beyond the speed of sound, but this is one of the ultimate, and perhaps unrealistic, objectives of the nuclear weapons experts.

Most immediately, of course, the idea that clean bombs can be perfected removes the desperate urgency from the proposal to ban bomb tests. If worried nations and peoples can be persuaded—and this is a big "if" in these days of powerful propaganda—that future testing will yield relatively negligible amounts of fallout, then testing of nuclear devices per se would not loom as any more dangerous, or any less dangerous, than testing, say, of guided missiles.

But here we come right back to the initial compulsions which have kept the disarmament talks in being these many long postwar years. Nuclear warfare, even with fallout largely omitted, would be devastating to whole nations, perhaps continents. Once a nuclear attack were launched, and several nations started hurling their big weapons, it would be despairingly proved that, as President Eisenhower told a recent press conference, "there can be no such thing as a victorious side" in a global nuclear war.

The need for ultimate disarmament is just as powerful now as before Messrs. Lawrence and Teller went on their neatly timed mission to the White House. There is the global cost, the tension, the mounting burden of the arms race.

But what happens now? At London the United States, feeling less urgency, has added to its package deal on disarmament various conditions which Moscow is not likely to accept—certainly not very soon. Prospects for a quick deal are dim. Whether the achievement of a clean bomb is worth the long postponement of disarmament hopes is something with which Mr. Eisenhower and his advisers are evidently still wresting.

AMENDMENT OF PUBLIC ASSISTANCE PROVISIONS OF SOCIAL SECURITY ACT—CONFERENCE REPORT

Mr. FREAR. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7238) to amend the public assistance provisions of the Social Security Act so as to provide for a more effective distribution of Federal funds for medical and other remedial care, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows:

On page 2, of the Senate engrossed amendments, strike out lines 14, 15, and 16; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

HARRY F. BYRD,
ROBT. S. KERR,
C. ALLEN FREAR, Jr.,
EDWARD MARTIN,
JOHN J. WILLIAMS,
Managers on the part of the Senate.

JERE COOPER,
W. D. MILLS,
NOBLE J. GREGORY,
DANIEL A. REED,
THOMAS A. JENKINS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

The PRESIDING OFFICER. The committee amendment will be stated.

The committee amendment was, on page 2, line 11, after the word "the," to strike out "National Fine Arts Commission" and insert "Commission of Fine Arts," so as to make the bill read:

Be it enacted, etc., That title I of the act of August 30, 1954 (68 Stat. 961), is amended to read as follows:

"TITLE I—TUNNEL IN VICINITY OF CONSTITUTION AVENUE

"SEC. 101. That the Secretary of the Interior is authorized and directed to construct, maintain, and operate a four-lane tunnel across the Potomac River from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such tunnel to be constructed north of the Arlington Memorial Bridge and south of, or under, Theodore Roosevelt Memorial Island, together with approaches and roads connecting such tunnel and approach ramps with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided*, That in planning such approach ramps and connecting roads, in the District of Columbia and the Commonwealth of Virginia, the Secretary of the Interior shall consult with the National Capital Planning Commission, the Commission of Fine Arts, the Commissioners of the District of Columbia, and the Bureau of Public Roads, Department of Commerce: *Provided further*, That the tunnel, approach ramps, interchanges, and connecting roads at both ends of the tunnel shall be constructed with a view to retaining as far as possible the memorial setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, Theodore Roosevelt National Monument, the Marine Memorial to the Dead of All Wars, the Arlington National Cemetery, and other monumental structures, properties, and park lands of national significance in the general area.

"SEC. 102. Lands and facilities under the jurisdiction of other Federal agencies, may be used for the approach ramps, related structures, and connecting roads. The closing, obliteration, construction, or relocation of facilities, including roads as a result of the use of the aforesaid Federal lands for the purposes of this act shall be accomplished in accordance with plans and procedures satisfactory to the head of the department having administrative jurisdiction over such properties.

"SEC. 103. The Secretary of the Interior is authorized to enter into an agreement or agreements with Arlington County and the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by Arlington County and the State Highway Commission of Virginia, to such an extent as the Secretary of the Interior shall deem necessary in the construction of connecting roads, temporary or permanent closing of existing roads, and any other matters relating to the construction of said tunnel which the Secretary of the Interior shall consider appropriate.

"SEC. 104. The Secretary of the Interior is authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed roads, streets, and highways under the jurisdiction of the Commissioners of the District of Columbia, by agreement or agreements with the Board of Commissioners of the District of Columbia to such an extent as the Secretary of the Interior shall deem necessary and appropriate.

"SEC. 105. The cost of construction, reconstruction, relocations, obliteration, and repair of all facilities and related works, including streets, if any, and park roads, which are changed or made necessary incident to the construction of said tunnel, approach ramps, and connecting roads, shall be paid out of funds allotted and made available for construction of said tunnel, approach ramps, and connecting roads: *Provided further*, That the cost of all necessary regrading and landscaping resulting upon the completion of said tunnel, approaches, and connecting roads also shall be paid out of funds allotted and made available for the purposes of this act.

"SEC. 106. There is authorized to be appropriated the sum of $25,500,000 to carry out the provisions of this act."

The amendment was agreed to.

Mr. CARLSON. May I inquire whether the Senator from Nevada is about to discuss the bill, which deals with bridges over the Potomac River?

Mr. BIBLE. The Senator is correct.

Mr. CARLSON. I have no objection, but I know that minority views have been filed, and I wonder whether we should have a quorum call at this time.

Mr. BIBLE. I believe all the Senators who are interested in the minority views are on the floor at the present time. Certainly as the discussion of the bill proceeds I shall be very happy to yield for the purpose of suggesting the absence of a quorum.

AMENDMENT OF SOCIAL SECURITY ACT, AS AMENDED

Mr. BYRD. Mr. President, there is a bill which has been reported unanimously by the Committee on Finance, and which has an expiration date of July 1. I therefore ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 462, H. R. 6191.

Mr. CARLSON. May I inquire to what the bill relates?

Mr. BYRD. It relates to social security payments to veterans.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 6191) to amend title II of the Social Security Act, as amended, to extent the period during which an application for a disability determination is granted full retroactivity, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Virginia that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the bill (H. R. 6191)?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance with amendment on page 1, after line 6, to strike out:

SEC. 2. (a) Section 224 (e) of the Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

And, on page 2, after line 3, to strike out:

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

Mr. BYRD. Mr. President, H. R. 6191 would amend title II of the Social Security Act, as amended, to extend for 1 year—through June 30, 1958—the time within which disabled workers can file applications which would permit the beginning of a period of disability to be established as early as the actual onset of disablement, provided the other requirements of the law are met. Under present law if an application to establish a period of disability is filed by a disabled worker after June 30, 1957, any period of disability that is established for him cannot begin earlier than 1 year before the application is filed.

It is now clear that many people who have been disabled for some time and who would be eligible for the freeze will not make the necessary application before July of this year because they are not aware of the existence of the freeze provisions. While this is understandable in view of the newness of the disability features of the old-age and survivors insurance program, your committee is concerned that many persons who became disabled some time ago will, if they fail to file applications before July 1, 1957, lose all their protection under the old-age and survivors insurance program—retirement and survivor, as well as disability protection.

The committee believes that it is only fair to give workers now disabled a further opportunity to avoid loss of these valuable rights by extending through June 30, 1958, the period for filing an application which will make the freeze effective for eligible workers for the entire period of their total disability.

Without prejudice as to the merit of the proposal, the committee did not include in its reported bill section 2 of the House-approved bill which would modify the disability-benefit offset provision of the Social Security Act so that an individual's disability-insurance benefit under old-age and survivors insurance would not be reduced, because of disability compensation he receives from the Veterans' Administration. The purpose in deferring action on this provision was to allow the Social Security Administration sufficient time to endeavor to work out appropriate language to enable the service-connected disabled veteran to draw full social-security disability benefits in the event he is disabled in employment or his employment aggravates his veterans' disability to such an extent that he can no longer be gainfully employed. In other words, the committee is in complete sympathy with the objective insofar as the service-connected disabled veteran is concerned but distinctly disapproves the duplication or unwarranted pyramiding of disability benefits received under other Federal plans.

After studying the problem further the Social Security Administration subsequently reported that the suggested committee amendment was administratively infeasible; thus, the committee reconsidered and approved the House amendment. I, therefore, ask the Senate to disapprove the committee amendment, thereby restoring section 2 to the bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. BYRD. The rejection of the committee amendment restores the bill to the form in which it passed the House. It is a very desirable bill. The amendment proposed by the Committee on Finance would have disallowed veterans certain benefits under social security. The purpose of rejecting the amendment is to give to the service-connected disabled veteran full benefits under social security, in addition to his veteran's disability compensation, as provided in the House bill.

Mr. CARLSON. As I understand, the bill now is exactly the same as it was passed by the House, H. R. 6191. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. Section 2 is restored to the bill, and that section provides that disabled veterans shall be able to secure benefits under both old-age and survivors insurance and pension benefits. Is that correct?

Mr. BYRD. The Senator is correct.

Mr. CARLSON. I think it is a worthy bill, and I sincerely hope it will be passed.

The PRESIDING OFFICER. The Chair announces that the parliamentary situation as it stands now is that the committee amendment has been rejected. Its rejection restores the bill to the form in which it passed the House.

Mr. BARRETT. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BARRETT. Do I understand correctly that the amendment which has been rejected restores section 2 of the House bill?

Mr. BYRD. It does. The Senate has rejected the committee amendment. The effect is to restore section 2 of the bill. The amendment resulted from a suggestion of the administration that certain details had to be worked out. The details were worked out, and were included in the House bill, and the rejection of the committee amendment restores the House provision to the bill. Therefore the bill now before the Senate is exactly the same bill that passed the House.

Mr. BARRETT. As the situation stands now, a veteran with service-connected disability may also obtain disability benefits under social security. Is that correct?

Mr. BYRD. Such benefits may be paid to the veterans; yes.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. POTTER. I had intended to offer an amendment to the pending bill to allow Michigan, one of the States to qualify under the legislation, along with other States which also qualify, to include firemen and policemen under the provisions. However, it is my understanding that such a provision will be submitted as separate legislation. I should like to ask the chairman if it is the intention of the Committee on Finance to take up such proposed legislation in a separate bill. I realize that the chairman would like to have the bill passed in its present form, so that it would not be necessary to have it go to conference.

Mr. BYRD. As soon as the House sends to the Senate such a bill as that referred to by the Senator from Michigan, I feel certain that there will be no objection to the adoption of an amendment in line with the Senator's suggestion. The bill before the Senate has a time limit of July 1, and to add an amendment to it would require the bill to go to conference.

Mr. POTTER. But it is the view of the chairman, is it, that other bills dealing with the Social Security Act will come before this session of Congress, and that an amendment could be either offered on the floor or referred to the committee at that time?

Mr. BYRD. The Senator is correct. I suggest that he offer an amendment and have it referred to the Committee on Finance, to be applied to any bill to which it would be proper to attach it.

Mr. POTTER. With that understanding, I will not offer the amendment at this time. I thank the Senator from Virginia.

Mr. BYRD. I thank the Senator from Michigan.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator from Virginia a question. My understanding of what has been said by the distinguished chairman of the Committee on Finance is that if the bill is now enacted, after the rejection of the original amendment suggested by the Committee on Finance, and now withdrawn, the bill will read as follows. It is a short bill, and it will not take long to read it:

Be it enacted, etc., That paragraph (4) of section 216 (i) of the Social Security Act is amended by striking out "July 1957" and inserting in lieu thereof "July 1958", and by striking out "July 1956" and inserting in lieu thereof "July 1957."

SEC. 2. (a) Section 224 (c) of the Social Security Act is amended by adding at the

end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation paid to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

(b) The amendment made by subsection (a) shall apply only with respect to monthly benefits under title II of the Social Security Act for months after June 1957.

The result of the action which has been taken as I understand, is to strike from the bill the restrictive language which was suggested by the committee, excluding from the meaning of the words "periodic disability" service-connected disability allowances for the individual, so that a veteran will be entitled to all the benefits provided in section 1.

Mr. BYRD. The Senator is correct. The rejection of the committee amendment leaves the bill in the form it passed the House.

Mr. O'MAHONEY. The House bill does not restrict the veteran.

Mr. BYRD. It does not restrict him.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

Mr. JAVITS subsequently said: Mr. President, I was not in the Chamber when the debate took place on Calendar No. 462, H. R. 6191. I wish to be recorded in connection with the deliberations on that bill.

I am very much pleased that the Committee on Finance has seen fit to report a bill which accords with the views of the American Legion, the Veterans of Foreign Wars, and other distinguished veterans' organizations in the State of New York, who feel very keenly about the opportunity for veterans to receive their service-connected compensation payments as well as social-security benefits. The committee has done that under the chairmanship of the distinguished senior Senator from Virginia [Mr. BYRD], by restoring the House language in section 2.

CONSTRUCTION OF BRIDGES OVER THE POTOMAC RIVER

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 486, Senate bill 944.

The PRESIDING OFFICER. That bill is the unfinished business. It will come before the Senate automatically.

The Senate resumed the consideration of the bill (S. 944) to amend the act of August 30, 1954, entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

Mr. BIBLE. Mr. President, the bill now before the Senate is probably better described as the bill which brings into focus the crossing of the Potomac River in the vicinity of Constitution Avenue, whether that crossing is to be a 6-lane bridge crossing or a 4-lane tunnel crossing.

By direction of the Committee on the District of Columbia, a report has been filed, a copy of which is on the desk of each Senator. Likewise a copy of the hearings held before the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia and a copy of Senate bill 1707 also are on the desk of each Senator.

Senate bill 1707 provides for a six-lane, fixed span bridge across the Potomac River in the vicinity of Constitution Avenue.

Extended hearings were held by the subcommittee on these two pieces of proposed legislation. The Subcommittee on Fiscal Affairs, by a vote of 2 to 1, reported the bridge bill to the full committee. By a vote of 5 to 3, the full committee reported the tunnel bill to the Senate, and it is that bill S. 944 to which I am now addressing my attention.

The minority views filed in the report were those represented by the chairman of the committee, the Senator from West Virginia [Mr. NEELY], the Senator from Delaware [Mr. FREAR], and myself. The decision which we reached, as I shall point out in the opening statement, was one which was made after considering the important factors of cost, need, and capacity.

The proposal before the Senate today is not a new one. During the 83d Congress, when the question was considered for the first time, Public Law 704, which was approved August 30, 1954, was enacted and is the law at the present time. It authorizes the Commissioners of the District of Columbia to construct a low-level span bridge over the Potomac River in the vicinity of Constitution Avenue north of Memorial Bridge and south of the southern portion of Theodore Roosevelt Island.

For the benefit of Senators who are interested in examining the various existing crossings of the Potomac and those proposed not only by Public Law 704 but also by both S. 944 and S. 1707, as well as the bill which was before the Senate last year, a map has been mounted on an easel at the rear of the Senate Chamber which clearly delineates the various crossings.

It is interesting to note that the distance from the present Memorial Bridge to the bridge proposed in the 6-lane bridge bill, taking the District of Columbia side, is 1,900 feet; taking the center line, it is 2,200 feet; and taking the Virginia side, it is 2,500 feet.

The distance from the present Memorial Bridge to the bridge already authorized by law is in the neighborhood of 1,300 feet. So the pending proposed legislation in effect moves the bridge upstream varying distances, between 550 feet on the District of Columbia side, 930 feet in the center line, and 1,200 feet on the Virginia side.

I make special comment on that because it is significant to me that new legislation was introduced in the 84th Congress to move the proposed bridge upstream the short distance I have just indicated in order to minimize the impact on the Lincoln Memorial area. At that time the District Commissioners agreed, at the request of the Commission on Fine Arts, the Department of the Interior, the Theodore Roosevelt Association, and others, that there would be some advantage in moving the bridge slightly upstream, as I have indicated.

The location as presently provided in S. 1707 is controlled at both ends of the bridge by physical considerations. On the Virginia side, Arlington Towers and the Marine Corps Memorial fix the alinement of the bridge. On the District side, the connections to Constitution Avenue and the inner loop fixed that end of the bridge.

The last control was in establishing the crossing of the main Potomac River channel on the east side of Theodore Roosevelt Island and the crossing of Little River on the west side of Theodore Roosevelt Island, as nearly as possible to a right angle with the flow of the river. This means that the new location for the bridge will be the short distances upstream that I have already indicated.

I emphasize that the bill before the Senate today is identical with the bill which the Senate passed at the last session of Congress. Today we are passing upon the same proposed legislation for the third time.

I likewise call the attention of the Senate to the fact that under the authority of the existing law the Commissioners could proceed today with the construction of a six-lane, fixed-span bridge at a location just a short distance south, downstream, from the location proposed in the bill before the Senate. The Commissioners testified before the committee that they were completely satisfied with the authorization contained in that act and would be quite happy to receive an indication from Congress to proceed under that act without the passage of a new bridge bill for this location.

The Commissioners also indicated that they recognized some question and disagreement in Congress as to the advisability of a fixed-span bridge versus a tunnel, and that, naturally, they would defer any action until they had some final expression, and, it was hoped, a very clear-cut, final expression, from Congress, at least before the adjournment of this session.

It is significant that, as a matter of fact, under the legislation I have described, the Congress in 1955 appropriated $200,000 for the project; in 1956, $1,500,000; in 1957, $3 million; and, in 1958, $350,000. Of the total amount appropriated to build the bridge, which has already been authorized under existing law, the sum of approximately $50,000 has been expended for consultant service.

The District of Columbia has the authority and the money needed to proceed with the bridge, as I have just stated. In addition to the appropriations already mentioned, this is a Federal-aid to highway project. It seems to me the Congress should today give to the District of Columbia government some indication about its feelings regarding this important matter, in order to help the District of Columbia government alleviate the pressing need for a crossing in this central area.

There are, in fact, absolutely no changes of the facts as to the need, and no changes of the facts as to the esthetics, and no changes of the facts as to the navigation requirements. Today they

are the same as they were when the act was passed a short 3 years ago.

The Federal Highway Act of 1956, which the Congress passed last year, sets forth the following in section 108 (i):

(i) Standards: The geometric and construction standards to be adopted for the Interstate System shall be those approved by the Secretary of Commerce in cooperation with the State highway departments. Such standards shall be adequate to accommodate the types and volumes of traffic forecast for the year 1975. The right-of-way width of the Interstate System shall be adequate to permit construction of projects on the Interstate System up to such standards. The Secretary of Commerce shall apply such standards uniformly throughout the States. Such standards shall be adopted by the Secretary of Commerce in cooperation with the State highway departments as soon as practicable after the enactment of this act.

Those are the provisions of the Federal Highway Act of 1956, enacted last year, which governs the requirements for the Interstate Highway System. The Department of Highways of the District of Columbia has consulted—as it is required to do under this act—the Bureau of Public Roads of the Department of Commerce, and they have reached the conclusion that a 4-lane tunnel or any 4-lane facility at this location would not adequately serve those needs, based upon a 1975 traffic capacity, and that the Bureau would be unable to approve a project for a 4-lane facility if it were submitted by the District of Columbia. Traffic studies show conclusively that any 4-lane facility would be operating at capacity on the day when such a facility was opened to accommodate traffic. One can easily picture traffic backed up for great distances at both approaches to the tunnel, for this reason alone.

On the Virginia side, Route 50 is to be enlarged from a 4-lane to a 6-lane facility. On the District of Columbia side, Constitution Avenue, as all Senators probably know already, is an 8-lane facility; and the Inner Loop Highway, when completed, will be an 8-lane facility. It is impossible to visualize that any 4-lane crossing would take care of traffic needs, considering alone these approaches to a tunnel.

The expert testimony given before the Fiscal Affairs Subcommittee indicated that the practical capacity in one direction for a 6-lane, fixed span bridge is 4,500 vehicles an hour, whereas a 4-lane tunnel would have a capacity in the neighborhood of 2,200 vehicles an hour.

There are filed with our report the figures for the various costs relative to the pending proposal; and I should like to comment on them.

The 4-lane tunnel proposal, under the estimates given to us by the Department of the Interior, would cost in the neighborhood of $25,482,000. The estimates of the Department of the Interior for such a tunnel, plus rights-of-way and present channel clearance estimates made by the Highway Department, are somewhat higher, namely, $29,382,000. It seemed to be clear and uncontradicted that the cost of maintenance of a 4-lane tunnel would, in any event, be in the neighborhood of $125,000 a year.

The estimates for the construction of a 6-lane tunnel as given to the committee by the experts who appeared before the committee, varied considerably. The estimate given by the Interior Department was in the neighborhood of $37,500,000 for a 6-lane tunnel facility, whereas the estimates by the Highway Department ranged to as high as $47,842,000. I am frank to confess that there was a wide variance between the figures submitted by the Highway Department and those submitted by the Interior Department. Suffice it to say that even taking the lower figure, which is given by the proponents themselves—namely, $37,500,000—it is almost $20 million higher than the cost of a 6-lane, fixed span bridge to have comparable traffic capacity at this particular crossing.

The estimate for a fixed span, 6-lane, prestressed concrete bridge was $15,500,000; and the estimate for annual operation and maintenance was $10,000. The estimate by the Highway Department for a steel bridge was $18,699,000; and the estimate for annual operation and maintenance was $14,000.

If a draw span were to be authorized—and again I stress that the pending bill is for a fixed span bridge—the cost would be increased by approximately $1,900,000.

I am very well aware of the fact that a great deal of testimony before our committee was on the question of the esthetics. That point was thoroughly considered by those of us who felt that the six-lane, fixed-span bridge is the correct answer to this problem. The bridge bill, S. 1707, contains the following language as to that—

Provided further, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area.

The bill further contains a proviso—

That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia.

So, Mr. President, one of the very purposes of S. 1707 is to change the location of the bridge authorized to be constructed by Public Law 704 of the 83d Congress, and move it to a location upstream from the presently authorized by such law, so as to minimize the impact of the bridge on the memorial area.

I am convinced, and I share the views of the Commissioners of the District of Columbia, that it is possible to design a bridge which will result in the enhancement of the appearance of the area and will be an asset to the monumental location, and will have the advantage of not plunging those who use the crossing into a tunnel as they approach these monumental structures, and then bringing them to the surface after they have passed them.

Mr. President, to my colleagues who are on the floor at this time, and who are interested in the proposed design of the bridge, as conceived by the architect, let me state that we have had placed at the rear of the Senate Chamber a picture of the proposed Constitution Avenue Bridge. We think it is architecturally beautiful.

The record of the hearings shows that there have been 5 independent traffic studies made since 1952, all of which demonstrate the need for a 6-lane structure to accommodate the traffic that demands a crossing in this vicinity.

The first survey was made in July 1952, by the firm of Modjeski & Masters, of Harrisburg, Pa., in its report to the Commissioners it recommended a new 6-lane bridge in the vicinity of Constitution Avenue, and estimated that had a bridge been in place at the time the report was submitted, it would have carried an average daily volume of 48,500 vehicles. This was an immediate traffic assignment to an immediately needed project back in 1952.

A second traffic study was made in February 1954 by the Regional Highway Planning Committee. It established a traffic count in the vicinity of Constitution Avenue and estimated that had a facility been available at that time, it would have carried in excess of 43,000 vehicles per day. The Regional Planning Committee report, like the Modjeski & Masters report, did not forecast future volumes, but indicated a 6-lane bridge to allow for the normal growth of traffic.

A third study was made in 1954 by the Department of Highways, District of Columbia, which indicated that there was a crossing demand for 47,000 vehicles a day. The Highway Department projected their data, and found that in 1970 this demand would increase to 65,000 daily; and in 1980 to 75,000 vehicles daily.

A fourth study was made in 1955, which indicated that in 1980 a Constitution Avenue Bridge would carry an average daily load of 75,000 vehicles.

The latest study, also made in 1955, forecast that 75,000 vehicles a day would cross a Constitution Avenue bridge by 1970.

To summarize, the evidence gathered by these 5 groups, all working independently, arrived at the same conclusion, based upon traffic demand, that a traffic facility constructed at or in the vicinity of Constitution Avenue must contain 6 traffic lanes.

Before concluding, I wish to emphasize again that the bridge has been approved by the Bureau of Public Roads as a part of the Interstate Highway System. I would not venture to say, because I simply do not know, what the construction of a four-lane tunnel would do to other Bureau-approved plans in Virginia and the District. It seems to me it might very well call for a complete readjustment of the Bureau's approved plans.

Those of us who are advocating a bridge felt that the need and capacity and cost data all indicated that a 6-lane fixed-span bridge, as approved by the District of Columbia government, the Secretary of the Army, and the Bureau of Public Roads, would be far superior at this location to a 4-lane tunnel, and would even be superior to a 6-lane tunnel. For all those reasons, we favor the construction of a bridge.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. BYRD. What are the comparative costs as between a tunnel and a bridge?

Mr. BIBLE. The cost of the steel bridge was estimated at $18,500,000. The cost of a 6-lane tunnel was estimated by the advocates of the tunnel at $37,500,000, and that was the lowest estimate we received, I will say to the Senator from Virginia. Taking the proponents' figures as presented to us, there is a differential of $19 million.

Mr. BYRD. Would they have the same carrying capacity?

Mr. BIBLE. They would not have the same carrying capacity. There was considerable dispute before the committee on that point. The carrying capacity of a 6-lane bridge was estimated to be 4,500 vehicles an hour. The testimony was that a 4-lane tunnel would have a carrying capacity of 2,200 vehicles an hour. There was a disparity in the testimony of those before the committee. I think it is safe to say a 6-lane tunnel would not carry the same number of people that a 6-lane bridge would, but would carry a lesser number.

Mr. BYRD. The investigation of the committee unquestionably indicated a great need for either a bridge or a tunnel. Is that correct?

Mr. BIBLE. I may say it has been a great pleasure to work with the Senator from Maryland [Mr. BEALL], the second senior member of the District of Columbia Committee. If there was one thing on which we were in complete agreement, it was that there was a great need for a crossing in the vicinity of Constitution Avenue, be that crossing a bridge or a tunnel.

Mr. BYRD. Was the committee unanimously in favor of a bridge?

Mr. BIBLE. It was not. As I pointed out previously, the subcommittee voted for a bridge by a vote of 2 to 1. The full committee voted for a tunnel by a vote of 5 to 3. The tunnel proposal is before the Senate as a result of a favorable report of the District of Columbia Committee by a vote of 5 to 3.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I am delighted to yield.

Mr. O'MAHONEY. I think perhaps the Senator from Virginia would like to know that the bill providing for a tunnel was introduced by the present speaker as Vice Chairman of the Theodore Roosevelt Centennial Commission. The Theodore Roosevelt Centennial Commission authorization likewise fosters the bill which was introduced. I have only the highest confidence in the Senator from Nevada, who finds himself in the unusual position of being the chairman of the subcommittee of the District of Columbia Committee which conducted hearings on the bill, and nevertheless being the author of the minority views. He finds himself in the difficult task of submitting a favorable report for a tunnel, while he himself was the minority representative leading the battle in the committee for a bridge instead of a tunnel.

The Senator from Maryland [Mr. BEALL], the ranking Republican member on the District of Columbia Committee, I think, is an ardent advocate of a tunnel. I want to compliment the Senator from Nevada, because he has been eminently fair in presenting the matter. I think, however, in presenting the favorable report he has been irresistably compelled by his own predilections to make an argument for the minority instead of for the majority of the committee.

Mr. BIBLE. I may say to my friend from Wyoming that I know of his interest in the tunnel bill. He acquainted me concerning his interest very enthusiastically. I certainly intended to yield to my friend and colleague from the State of Maryland [Mr. BEALL], because I know he is now a strong advocate of a tunnel, as he was a strong advocate of it in committee. It was my intention to yield to him so he could present his views.

I will say the chairman of the Fiscal Affairs Subcommittee found himself in the majority until the bill reached the full committee. We were 2 to 1 ahead until then. Notwithstanding that fact, I have filed minority views. I am sure the Senator from Maryland [Mr. BEALL] will develop the position of those who advocate a tunnel.

Mr. President, before yielding to the Senator from Maryland in order to place before the Senate and square up the question as to a bill providing for a tunnel or for a bridge, I should like to move that all after the enacting clause of Senate bill 944, which is the tunnel bill, be stricken, and that the contents——

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BIBLE. I yield.

Mr. O'MAHONEY. I suggest to the Senator that perhaps it might be a courtesy to those of us who are supporting the majority report that he withhold his motion.

Mr. BIBLE. I have no intention of asking that the motion be put now. I was going to yield first to the Senator from Maryland, and then yield the floor.

Mr. O'MAHONEY. I merely ask the Senator if he will not be good enough to withhold the motion until after the advocates of the bill as reported by the Committee on the District of Columbia have had a chance to explain their position.

Mr. BIBLE. I had no intention of precluding that type of discussion or debate.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I simply wish to put the advocates of the bill on notice that I intend to make the motion to substitute the bridge bill for the tunnel bill so as to get an expression from the Senate as to a tunnel or a bridge.

Mr. O'MAHONEY. I understand.

Mr. BIBLE. I had no intention of making the motion until the discussion had been completed.

Mr. BEALL. Mr. President, I certainly want to thank and congratulate the Senator from Nevada, the chairman of the subcommittee, with whom I had the pleasure of working for many days and many months as to river crossings, for his fairness in presenting his report. Factually, I would say he was very fair in his presentation, and I thank him for that.

Mr. President, I do not intend to discuss this matter at length, since the plan has been so ably explained by the chairman of the subcommittee; but I wish to reiterate that for many months there has been almost constant discussion of the question of providing an additional crossing over the Potomac River. In the last Congress there was enacted a law providing for a permanent span bridge, but no action looking to its construction has been taken. We know the same fate will face such a bill this year.

The question arises, Mr. President, Do we want to provide for another crossing of the Potomac River at this location? If so, we will have to find some way to do it other than by a bridge; and so a tunnel is the answer.

Mr. President, many organizations, groups, and individuals in the District of Columbia, with the exception of the District Commissioners, are in favor of a tunnel. I should like to read a list of some of the persons and organizations who testified before the committee in favor of it. They are:

General U. S. Grant, of the Federal City Committee of 100.

Mr. Harland Bartholomew, the chairman of the National Capital Planning Commission.

Mr. Conrad Wirth, of the National Capital Parks.

Mr. Horace M. Albright, of the American Smelting & Refining Co.

Mr. Oscar S. Straus, of the Theodore Roosevelt Association.

Mrs. Fleetwood L. Guthrie, of the General Federation of Womens Clubs.

Mr. Fred E. Howe, of the Sons of Union Veterans.

The Honorable Fred A. Seaton, Secretary of the Interior, who filed a statement.

Colonel Arthur Hanson, of the Marine Corps War Memorial Foundation.

The National Monument Commission.

The American Society of Landscape Architects.

The Freedom Shrine, Inc.

The American Institute of Architects.

The American Scenic and Historic Preservation Society.

All the groups mentioned testified for a tunnel, because they felt it was the best way to preserve the natural beauty of this Potomac area, without interfering with the historic monuments that are located there. The tunnel built at the particular location that is under consideration here would accomplish this.

The costs, to which the Senator from Nevada has referred, are debatable. The Senator used some figures in his statement. At the moment I do not have the other figures, but the fact is that the

bridge bill, S. 1707, asks an authorization of only $900,000 less than the tunnel bill, S. 944.

I think, if we wish to have a crossing of the river, the main thing we must work out is a bill which will be approved by both bodies of Congress. The proposal must be acceptable to everybody.

I think the striking thing is that every known historical society, and all the planning organizations, with the exception of the District Commissioners themselves, favor the tunnel. They have all advocated a four-lane tunnel. The figures presented in the committee hearings showed that a tunnel of this size would carry the traffic at this time and at this particular location.

Mr. President, we should provide for a tunnel. I am not going to take up any more time of the Senate, because the acting majority leader wishes to proceed with the consideration of the bill. So I yield to the Senator from Wyoming, the author of the bill, who I believe desires to make a statement.

Mr. O'MAHONEY. Mr. President, I have in my hand a pamphlet showing the type of architectural development which has been planned for the area over which it is proposed to construct the bridge. The Freedom Foundation is proposing to construct a beautiful architectural memorial on the Virginia side of the Potomac River.

I should like to have my friend, the Senator from Pennsylvania [Mr. CLARK], take a look at the beautiful structure which is proposed to be constructed as a memorial to freedom on the very area where the photograph shows the direct east and west line of the Capitol of the United States, the Mall, the Washington Monument, and the Lincoln Memorial. Near there stands Roosevelt Island, which was turned over to the Federal Government by the Theodore Roosevelt Association, in the belief that the island would be kept in its virgin state as a memorial to one of the great Presidents of our country.

The proposed bridge, which the Senator from Nevada favors having constructed instead of the tunnel, would mar the scenic beauty of this area. It would pass over the island.

More than that, Mr. President, the land which would be needed for the construction of the bridge is the property of the Federal Government. The Federal Government has been endeavoring to make this region of the Potomac River, embracing the Capitol, the Washington Monument, the Lincoln Memorial, the Jefferson Memorial, and the Arlington Cemetery, a scenic center for the people of the United States. Many thousands of visitors from all over the land come to Washington every day. Members of the Senate and Members of the House of Representatives see these visitors traversing the halls and corridors and lobbies, I may say, of the Capitol of the United States. These visitors go to their homes bearing with them the thrill they have acquired from observing what they believe to be a government of the people in operation.

Life magazine for July 8, 1957, contained an article entitled "Pilgrims of the United States of America Visit Their Capital." I ask unanimous consent that this article be printed in the RECORD as a part of my remarks, together with certain captions descriptive of the pictures.

There being no objection, the article and captions were ordered to be printed in the RECORD, as follows:

PILGRIMS OF THE UNITED STATES OF AMERICA VISITING THEIR CAPITAL

Coatless against the Washington heat, cameras at hand, the visitors shuffle indefatigably through the marble shrines to a nation's past and through the great buildings where the Nation's future is shaped. In a land of travelers, only New York City draws more visitors than the 5.5 million who came to Washington last year. But the trip to Washington is something special to Americans—part tour, part civics lesson, and most of all, a pilgrimage to the well-spring of their democracy. Recently Henri Cartier-Bresson, a Frenchman who is one of the world's great photographers, joined the city's visitors.

The visitors come all year round to sightsee, to convene, to visit their Congressmen. With spring the great influx of students arrives—the senior classes from Winfield, Kans., Paoli, Ind., or Dahlonega, Ga., making graduation trips to the Capital. For 3 to 5 exhausting days they walk and see and store up impressions—the glistening immensity of the Capitol Building, the firearms at the FBI, the money rolling out at the Bureau of Engraving.

Cartier-Bresson caught the city's familiar tourist landmarks and an aspect—the fashionable lawn parties and unhurried beauty—that most tourists miss. But, as his pictures show, he found himself entranced as much by his fellow sightseers as by what they saw.

History becomes palpable for some young students as they touch the nose and shoulder of Gutzon Borglum's massive marble bust of Lincoln in the Capitol rotunda.

Leaning from the bus which brought his class from Winfield, Kans., a senior takes a picture of the Capitol as the tour leaves.

Amid the endless exhibits of the Smithsonian Institution, visitors aim cameras at a plastic replica of the statue that tops the Capitol.

Coming to see their Congressman, Watson Totus and Eagle Seelatsee of the Yakima tribal council stride through the Capitol.

Quiet amid the marble grandeur, a high school tour descends the great staircase of the Library of Congress. They had just looked at Jefferson's draft of the Declaration of Independence and a copy of the Gettysburg Address in Lincoln's handwriting.

Suspended from the ceiling of the Smithsonian Institution are Lindberg's "Spirit of St. Louis" and, behind it, the Wright brothers' original plane.

Footsore and art-weary, students sink onto benches beneath Renoir's "Diana" to summon strength for the rest of the National Gallery of Art.

On the long, broad greensward that sweeps down from the Washington Monument, some local boys shag a few flies. Around the base of the monument sit the cars of some of the 5,500 tourists who come to visit it each day.

In the warm afternoon, the city's twice-daily tide begins to flow as office workers from the Navy and Atomic Energy Commission buildings queue up for the buses that will start them on their way home. Of Washington's half million workers, one-third work in Government and it is a city uniquely attuned to the office-worker's punctual pulse. Many of the civil servants live in Maryland or Virginia and their days begin and end with a monstrous traffic jam they have long since learned to endure.

Across the still Tidal Basin, the Jefferson Memorial glistens in the sunlight. In cherry blossom season, tourists would swarm through the area. Now, later in the season, two young boys can unhurriedly poke ripples in the water.

Mr. O'MAHONEY. I cannot use the pictures which accompany the article, but I shall pass the magazine around so that as many Senators as possible may take a glance at the scenes which are depicted here in the Capital—scenes which are duplicated almost every day as a result of the activity of the Government in fostering and preserving the beauty of all construction in this area. My point is that this beauty would be spoiled by the proposed bridge.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I shall be glad to yield in a moment.

I wish to read into the RECORD at this point a letter from Secretary of the Interior Seaton to the Director of the National Park Service, dated March 27, 1957. The letter reads as follows:

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D. C., March 27, 1957.

To Director, National Park Service.
From Secretary of the Interior.
Subject: Transriver trafficway in the vicinity of the Arlington Memorial Bridge.

I have been following with considerable interest the discussions that have appeared in the press concerning an appropriate transriver trafficway in the vicinity of the Arlington Memorial Bridge. I am, of course, vitally interested in this problem and am anxious that it be resolved in the total public interest.

As custodian of our national shrines, monuments, and memorials, which would be affected by either a tunnel or a bridge in the location now being considered, I wish you to know that you have the full support of the Department in pursuing the objectives of constructing a tunnel in the general vicinity of Constitution Avenue extended.

Since the Department has not been requested to report on the legislation now being considered, I should like you to advise the committees of the House and the Senate who may be designated to consider this problem, that the Department of the Interior is opposed to a bridge trafficway in this vicinity and that it supports the concept of a tunnel.

FRED A. SEATON,
Secretary of the Interior.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. The Senator from Delaware has asked me to yield.

Mr. FREAR. Mr. President, the Senator from Wyoming was speaking of the beauty of some of the buildings in Washington. I wonder if the Senator believes that the beauty of a tunnel would equal that of a bridge.

SHED OVER RIVER

Mr. O'MAHONEY. Yes. I think the bridges which are contemplated would result eventually in the building of a shed over the Potomac, which would completely conceal the attractive waters of the Potomac.

Mr. FREAR. The beautiful waters of the Potomac.

Mr. O'MAHONEY. I notice a chart which was brought into the Chamber by the minority who are opposing the tunnel. It is not the making of the Department of the Interior. It is not the making of the majority of the District Committee. It is not the making of the

advocates of the tunnel. It is the making of the advocates of a bridge.

The legend on the map shows in black existing bridge locations. There are three of these in the immediate area of the Theodore Roosevelt Island.

The proposed bridges are marked in red. There are three of those.

Possible future locations are marked in green.

Reports which have come to us indicate that traffic experts say that at least 14 lanes would be needed to handle growing traffic. It is perfectly clear that, at the place at which the tunnel would be built, the proposed bridge would not only span Theodore Roosevelt Island, but would span the Potomac at a point where all the land involved is under the jurisdiction of the Government, through the Department of the Interior, which land is dedicated to beautifying this area of the Capital of the United States, probably the greatest capital in the world.

It is obvious from this chart that the construction of multiple bridges over the Potomac River at this point would not serve to enhance the beauty of the area, but would serve rather to destroy its beauty. What we propose to do is to build a tunnel, which would not require an embankment on the Virginia side, and which would not destroy the beauty on the District of Columbia side.

Moreover, I wish to point out to the advocates of the bridge that the President of the United States, who will have to act upon any bill which is passed, in signing the bridge authorization bill in the previous session, issued a statement from the White House, dated August 30, 1954. In this message, after approving the authorization for a bridge, the President said:

> Trucks should be prohibited on the bridge and its approaches, and all passenger-carrying buses now utilizing the Arlington Memorial Bridge should be required to use the new bridge upon its completion.

This is an indication, it seems to me, that the President of the United States would not prefer the bridge to a tunnel which would carry the traffic.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. What was the date of that message from the President?

Mr. O'MAHONEY. August 30, 1954.

Mr. FREAR. Does the Senator think the President is still of the same mind today as he was in 1954?

Mr. O'MAHONEY. I have no reason to believe that he has changed his mind.

Mr. FREAR. If the proponent of the tunnel will indulge me for a moment before I ask him a question——

RECOMMENDATION FOR TUNNEL

Mr. O'MAHONEY. Before the Senator asks the question perhaps he will permit me to give a quotation from another authority which will have a bearing on this question.

Wilbur Smith & Associates are reputedly the Nation's leading traffic consultants. One of the most significant things, it seems to me, is that the best consultants in the country are on record as approving a four-lane tunnel facility at Constitution Avenue.

The same group were of the opinion that if two new bridges, for which the authorization legislation has already been introduced, are built in the immediate future, that will make it more certain that there ought to be a tunnel rather than a bridge at this point.

The following are the words which were used by Wilbur Smith & Associates. They were called upon by the National Capital Planning Commission to express their point of view:

> We believe that it may not be necessary, or even desirable, to provide a six-lane capacity at the Constitution Avenue location, and that more thought might be given to the dispersal rather than the concentration of transriver crossings in order to better solve the approach road problem.

In other words, the best advice the National Capital Planning Commission could obtain was to the effect that bridges should not be concentrated in this area, but that the tunnel should be built instead.

As the report of the majority shows, there has been endorsement by the following agencies or organizations of the tunnel proposal recommended by the District Committee:

> Department of the Interior.
> Commission of Fine Arts.
> Theodore Roosevelt Centennial Commission.
> Theodore Roosevelt Association.
> National Monument Commission.
> Committee of One Hundred for the Federal City.
> Marine Corps War Memorial Foundation.
> American Society of Landscape Architects.
> American Scenic and Historic Preservation Society.
> Freedom Shrine, Inc.
> Sons of Union Veterans.

Mr. FREAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. FREAR. There are some very worthwhile arguments being presented in favor of a tunnel, including the arguments made by the distinguished Senator from Wyoming. However, I wonder if the commissions and foundations he has mentioned would consent to underwrite the difference in cost between a tunnel and a bridge.

Mr. O'MAHONEY. I think the cost of a tunnel or of a bridge is not set forth in any of the statements contained in the minority views. The Department of the Interior challenged the estimates of the advocates of the bridge.

Mr. FREAR. Does the Senator from Wyoming indicate that the cost of a tunnel would not be more than the cost of a bridge, either 4-lane or 6-lane?

Mr. O'MAHONEY. I believe the cost of a bridge such as is being planned, of 6 lanes, or perhaps even 10 lanes, would be much greater.

Mr. FREAR. Does the Senator think a 4-lane tunnel would carry as much traffic as a 6-, or 8-, or 10-lane bridge?

Mr. O'MAHONEY. I believe that a four-lane tunnel would carry much more traffic per square foot than any bridge which was ever built.

Mr. FREAR. The Senator does not answer my question. My question was, Does the Senator believe——

Mr. O'MAHONEY. The overriding issue and the overriding consideration is that we should not commercialize the scenic value of the Potomac River, the memorial center of Washington.

Mr. FREAR. But the Senator is concentrating——

Mr. O'MAHONEY. It is much more desirable to construct even a more expensive tunnel than to destroy the beauty of the memorial center of Washington.

Mr. FREAR. The Senator is concentrating on his own views.

Mr. O'MAHONEY. Of course; and the Senator from Delaware is concentrating on his views.

Mr. FREAR. The difference is that the Senator from Delaware is attempting to do so; whereas the Senator from Wyoming is not agreeing with the Senator from Delaware. Will the Senator yield further?

Mr. O'MAHONEY. I yield.

Mr. FREAR. I agree with the views expressed by the Senator from Nevada [Mr. BIBLE], the distinguished chairman of the subcommittee. He has given a message to the Senate which it should heed.

The Senator from Wyoming has displayed his usual ability in portraying the beauty of Washington, and in making other arguments. He always does an outstanding job. However, I ask Members of the Senate to analyze the cost involved in the construction of a tunnel or a bridge before they cast their vote with the Senator from Wyoming. Of course I would much prefer that Senators cast their vote with the Senator from Nevada and the Senator from Delaware.

Mr. O'MAHONEY. The Senator has not asked me a question. Therefore, I shall close my argument by asking unanimous consent, in order to save time of the Members of the Senate, who I know are eager to go to other activities, that there be printed in the RECORD at this point the text of a prepared statement on this subject which I had intended to deliver, but which I shall not deliver at this time.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

POTOMAC RIVER TUNNEL

Traffic demands along the Potomac River have engendered a spate of proposals for new river crossings. One of the several proposals contemplates a new crossing at the Constitution Avenue corridor. There is full agreement that a new crossing is in urgent demand. There is no argument over the type at other sites but the unique cultural and historic locale near Constitution Avenue has prompted the proposal of a tunnel in place of a bridge at this site.

The Potomac River tunnel envisioned by S. 944 was designed by Ole Singstad, one of the world's leading authorities on tunnel design and construction. As designed by Mr. Singstad, the tunnel will cost $25,482,000 to construct. It will be a 4-lane tunnel capable of moving 55,000 to 60,000 vehicles per day, a number comparable to the number now crossing the Arlington Memorial Bridge.

A careful check of records shows that other great tunnels of the land, e. g., the Holland and Lincoln Tunnels in New York have proved capable of moving as much traffic as the great bridges. For example, Lincoln Tunnel in New York has been clocked in highest recorded day of moving 17,246 vehicles per lane while the George Washington Bridge carried 18,043 vehicles on its record

day. The Holland Tunnel during its highest recorded day carried 17,847 vehicles per lane.

ADEQUACY OF FOUR LANES

In the hearings there has been a great deal of discussion over the need for a 6-lane facility at Constitution Avenue. And there are those who feel keenly the need for a 6-lane crossing. However, Wilbur Smith & Associates, one of the Nation's leading traffic consulting firms, has reported that a 4-lane crossing at Constitution Avenue is wholly adequate if 2 more bridges, one at Roaches Run and the other above the Key Bridge, were to be constructed in the immediate future. Senator CASE, of South Dakota, has introduced a bill to provide for the construction of these 2 bridges. If the Congress will authorize these 2 bridges, we have the assurance of leading traffic experts that a 4-lane tunnel at Constitution Avenue will move the necessary traffic.

There is much to suggest that it would not be desirable to introduce any more traffic into downtown Washington than that contemplated by the tunnel. In the hearings there was a great deal of testimony to the effect that a 6-lane crossing, preferably a bridge would be needed and that the necessary dispersal arteries would be available to handle the volume. These estimates were all predicated upon the use of E Street channeling traffic north past the White House and the use of a nonexistent park drive on the north side of the Reflecting Pool, an arterial drive which cannot be built until the Navy and Munitions Buildings are demolished. The estimates also presuppose the construction of the inner loop.

The statement in the minority report which asserts that "All agencies which have made a study of traffic demands in the area have approved the need for a six-lane crossing at Constitution Avenue," does not take into account the Wilbur Smith & Associates recommendation.

There are a good many figures in the discussion but the Senate Committee on the District of Columbia has accepted the following figures:

Costs of proposals

TUNNEL, 2,870 FEET LONG

4 lanes:	
Estimates by Interior	$25,482,000
Estimates by Interior plus rights-of-way and present channel clearance estimates by Highway Department	29,382,000
Operation and maintenance per year, $125,000.	
6 lanes:	
Estimates by Interior	37,500,000
Estimates by Highway Department	47,842,000
Operation and maintenance per year, $310,000.	

BRIDGE

Fixed span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	15,550,000
Operation and maintenance per year, $10,000.	
Estimates by Highway Department: Steel	18,699,000
Operation and maintenance per year, $14,000.	
Draw span, 6 lanes:	
Estimates by Highway Department: Prestressed concrete	17,450,000
Operation and maintenance per year, $56,000.	
Estimates by Highway Department: Steel	20,599,000
Operation and maintenance per year, $60,000.	

MATTHEW M. NEELY.
ALAN BIBLE.
J. ALLEN FREAR, Jr.

NEED FOR STUDY

Like a good many figures they must be studied closely if their true import is to be understood. The first figure, the $25,482,000 figure, is a firm one. It is the figure at which Ole Singstad, the tunnel authority, arrived at when he designed the tunnel. It has been audited, and contractors have studied it and reported that they could build a tunnel for the figure. Past this point the figures must be studied carefully. For example, in the next figure, an allowance has been made, not by the Department of the Interior but by the District Subcommittee for Land Acquisition and Channel Maintenance. But one of the beauties of the tunnel is that it will be built solely upon Federal land. There need be no money appropriated for land acquisition. There need be no more money for maintenance. The channel is now maintained exactly as it will be when the tunnel is built. In fact, a statutory authorization to maintain the channel at its present width, instead of the larger one provided by law, will reduce the cost of the tunnel, for the tubes will not have to be sunk so low into the river.

The bridge estimates are preliminary ones which have not been checked and rechecked. Despite public testimony from the Department of Highways of the District of Columbia the fixed steel bridge, which is the only one seriously contemplated, will actually cost $20 million as some officials of the Department of Highways have acknowledged, not the $18,699,000 listed in this report. The 6-lane draw span will cost $22 million.

The bridge-maintenance figures seem strangely low. The District of Columbia Highway Department reports that it will cost $14,000 a year for maintenance and repair of the steel bridge, which is the one which the highway department really intends to build, if it is granted the authority. This is strange estimate when it is known that the highway department has estimated $55,000 each for the two new 14th Street bridges, that the District Highway Department's one-third of the yearly maintenance of the authorized Jones Point Bridge is $20,000, when it is understood that the Department of the Interior spends $60,000 to $70,000 per year to maintain the Arlington Memorial Bridge.

TUNNEL BENEFITS

In any arrangement of these figures the tunnel will cost more to build than a bridge. These increased costs must be balanced against the benefits from the tunnel. The Federal Government has an investment, actual and contemplated, of $66,200,000 in the immediate vicinity of the crossing site. (This does not include the White House, the Washington Monument, the Arlington National Cemetery, and the proposed National Cultural Center.) The Federal investment is figured on cost, not replacement value.

The extra money for the tunnel will procure:

The preservation of the planned beauty of the Washington Mall and the projected National Memorial on the Virginia shore;

The beauty of an intact river line;

The maintenance of Roosevelt Island as the site for a national memorial to President Theodore Roosevelt without the complications of a bridge;

A facility which will not add to the flood level during high water and will permit unobstructed navigation.

It is also possible that the tunnel costs can be lowered if a narrower navigation channel is authorized in the Potomac. The Army engineers maintain a channel 200 feet wide in this reach of the river. The statutory authorization permits a 400-foot channel and the tunnel plans are based upon this width. If the statutory authority authorization is decreased to the 200 feet now maintained the tunnel plans can be changed. This would be a saving of about $1 million.

H. R. 6763, a similar bill which has been recommended by the House Subcommittee on Police, Firemen, and Traffic contains the language needed to narrow the channel to its maintained width.

THREAT TO FEDERAL CONTROL

Construction of a medium level bridge at Constitution Avenue, besides obstructing views in this particularly monumental area, would be an intrusion of the District of Columbia into an area which for many decades has been owned and carefully administered by the Federal Government. The tunnel will be built in its entirety upon Federal land. The Washington Mall, the Arlington Cemetery and Roosevelt Island have all been placed under the ownership and administration of the Federal Government chiefly to preserve, maintain, and enrich the monumental testimony to free government which these few acres are. There are no other sites, as those within a 1-mile radius of this crossing, as intimately connected with the development of free government in a new continent. To despoil them for the sake of saving $2,500,000 seems penny wisdom and pound foolishness.

This is particularly so in the light of the many millions which have been spent, which will be spent to make this immediate locale and other areas not far distant the most beautiful capital in the world. These are some of the sums which have been authorized by the Congress for the development of the Capital in line with the hopes of Thomas Jefferson and the other Founding Fathers who envisioned, in the principle, the great city devoted solely to the government of a free people which has risen on the banks of the Potomac. In the past several years Congress has appropriated these sums for the planned development of this city and its approaches:

George Washington Parkway	$11,000,000
Little Falls Dam	15,000,000
New State Department Building	45,000,000
Four new Government office buildings	90,000,000
New Smithsonian Building	50,000,000
New CIA Building	45,000,000
New Senate Office Building	25,000,000
New 14th St. bridge	10,000,000
New Jones Point bridge	15,000,000

MINORITY REPORT

The minority report needs to be read with close scrutiny. Its view seems to be an expression of agencies whose only concern is traffic. Many of the assumptions of the report are based upon plans for an interloop and other rearrangements of the arterial highway system not yet out of the planning stage. They will not be built for many years. The traffic studies upon which the minority reports rely all focus on traffic counts at this single point without reference to the need and desirability of dispersing traffic as recommended by Wilbur Smith & Associates nor to the possibility of the construction of other bridges.

Actually the addition of two lanes to Highway 50 on the Virginia shore will not tax the tunnel. The present 4 lanes of Highway 50 channel traffic to the Arlington Memorial Bridge. With the addition of 2 lanes and the construction of a tunnel this traffic will have 2 choices instead of 1. While there was testimony that the tunnel would be operating at full capacity as soon as completed it was not conclusive and seemed to envision the strange occurrence that as soon as the tunnel was completed no other traffic would use the Arlington bridge.

The arguments in paragraph 2 of the minority report are irrelevant in that the Bureau of Roads will not be asked to pass upon any of these funds. The funds will be appropriated to the Department of the Interior which now administers the land upon which the tunnel will be built. The tunnel will be

built under the direction of the Secretary of the Interior and administered by him as part of the National Capital Parks system.

While the minority report asserts that the aspect of esthetics "was thoroughly considered by those us who are opposed to the construction of a tunnel" the plain fact is that the commissions and organizations charged particularly with preserving the esthetic values of this area have opposed the bridge and favor the tunnel. These include the Commission of Fine Arts, the National Monument Commission, the Committee of One Hundred for the Federal City, the American Society of Landscape Architects, the American Society of Professional Engineers.

The minority report stresses the fact that the tunnel would not solve the controversy between fixed-span and movable-span proponents. Selection of the tunnel would certainly solve this controversy as far as the Constitution Avenue is concerned. It is true that the Senate District Committee has voted a fixed span at 14th Street but it does not follow that the House will accept a fixed span. A tunnel, however, at Constitution Avenue definitely solves the dilemma.

The traffic figures of paragraph 6 just don't match the figures attested by numerous bridge and tunnel authorities throughout the Nation. By testimony from the Port of New York Authority the one-way traffic capability of the tunnel should easily be 3,000 vehicles per hour instead of 2,000 suggested by the minority.

Construction of the bridge would jeopardize the creation of the national monument on the Virginia shore. A nonprofit organization of citizens have worked out plans for a great national monument to the freedoms of the Bill of Rights. The high embankments of a bridge would block the view from this monument across the river. Legislation will shortly be considered to incorporate this nonprofit organization which will build the monument by public subscription. If the bridge is passed, however, the planners have indicated, they will not wish to press for the creation of the monument. It would be pointless from their standpoint if the bridge destroys the symmetry of the locale.

Mr. BIBLE. Mr. President, I merely wish to close the discussion with a few observations. It behooves all Members of the Senate to bear in mind that if a four-lane tunnel is built at the proposed Constitution Avenue crossing, the expert testimony is to the effect that from the day the tunnel is constructed it will be packed to capacity. I sound that warning, because the uncontradicted testimony is to the effect that a four-lane tunnel is insufficient for that area in view of the foreseeable growth of the District of Columbia.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. BIBLE. I yield to my distinguished friend.

Mr. BEALL. The statement that the tunnel would be packed to capacity from the day it opened is debatable, I believe, because expert witnesses were very much divided with respect to the question of the capacity of the tunnel versus the capacity of a bridge.

Mr. BIBLE. There was some division among the experts, but there was no division about the volume of traffic a tunnel could carry as compared with the volume a bridge could carry. Therefore, Mr. President, I close my argument with that note of warning. Furthermore, it should be borne in mind that the additional cost of the construction of a tunnel would be $7 million or $8 million. From the standpoint of traffic capacity, of course, there is obviously no comparison. As to the question of beauty, I sincerely feel that the construction of a bridge would not in any way damage the beauty of the monumental area, as has been indicated.

In accordance with my earlier statement, I now offer an amendment to strike out all after the enacting clause of S. 944, the pending bill, and to insert in lieu thereof the text of S. 1707. The purpose of the amendment is to place before the Senate the question of the six-lane fixed-span bridge.

The PRESIDING OFFICER (Mr. STENNIS in the chair). Without objection, the text of the amendment will be printed in the RECORD.

The amendment was to strike out all after the enacting clause and insert the following:

That subsection (a) of the first section of title I of the act entitled "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes," approved August 30, 1954 (68 Stat. 961) is amended, (a) by inserting immediately after the phrase "Potomac River," where it first appears, the phrase "to be known as the Theodore Roosevelt Bridge,"; and (b) by striking the period at the end of said subsection and adding the following: ": *Provided further*, That the bridge hereby authorized to be constructed may cross such portion of either of the two islands comprising the said Theodore Roosevelt Memorial Island as may be agreed upon between the Theodore Roosevelt Association and the Commissioners. The general plan and profile of the bridge structure shall be subject to the approval of the Fine Arts Commission. The general location of the bridge, approaches, interchanges, and connecting roads on lands under the jurisdiction of the Secretary of the Interior shall be subject to his approval. The bridge, approaches, interchanges, and connecting roads at both ends of the bridge shall be constructed with a view to retaining so far as possible the monumental setting and the artistic design of the Lincoln Memorial, the Arlington Memorial Bridge, and other monumental structures, properties, and park lands in the general area."

SEC. 2. Section 102 of said act approved August 30, 1954, is amended by striking the period at the end thereof and adding the following: ": *Provided*, That the Secretary of the Interior shall retain control and jurisdiction over all park lands in the vicinity of the bridge other than such lands as may be required for the actual bridge structure and other than the surface of the approach roads and streets between curbs, which shall be the responsibility of the government of the District of Columbia."

Mr. BIBLE. Mr. President, I suggest the absence of a quorum.

Mr. O'MAHONEY. Will the Senator withhold that suggestion of the absence of a quorum?

Mr. BIBLE. I withhold it.

Mr. O'MAHONEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. O'MAHONEY. The result of the adoption of the amendment offered by the Senator from Nevada would be to reverse the action of the Committee on the District of Columbia, to repudiate the recommendation of the Department of the Interior, to violate the recommendation of the Fine Arts Commission, and other bodies, and to kill the tunnel.

Mr. BIBLE. Mr. President, I should like to make a similar parliamentary inquiry. If the amendment is agreed to, it would sustain the views of the minority and the views of the Commissioners of the District of Columbia, and sustain the Bureau of Public Roads and the Bureau of Highways, and the American Automobile Association.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BIBLE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Chair requests those who are in the Chamber under the rules which give them the privilege of the floor to please respect that privilege by being quiet, so that the Senate may transact its business. Persons having no active business on the floor might well view the proceedings from the gallery.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Nevada [Mr. BIBLE].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDINGS PROJECTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 548, S. 2261.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2261) to amend and extend the Public Buildings Purchase Contract Act of 1954, as amended, the Post Office Department Property Act of 1954, as amended, and to require certain distribution and approval of new public building projects, and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. CHAVEZ. Mr. President, the bill, which was reported by the Committee on Public Works, is a simple bill. The term of jurisdiction of the General Services Administration under the Lease-Purchase Act will expire on July 22, 1957. The bill provides only that the act be extended until June 30, 1960.

I could speak at length, but I do not desire to take the time of the Senate to do so. Therefore, I ask unanimous consent that a statement I have prepared concerning the bill be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CHAVEZ

The purpose of this bill, S. 2261, is to amend and extend the Public Buildings Purchase Contract Act of 1954 and the Post Office Department Property Act of 1954. It extends the period for approving projects under Public Law 519, 83d Congress, for a period of approximately 3 years, or until June 30, 1960, and recommends changes in the funding and financial aspects of the act to alleviate problems encountered in carrying out the implementation of the program, provide greater flexibility in its operation, and permit the program to proceed in an orderly manner, in order to provide the much-needed space for carrying out the many functions of the Federal Government.

The committee does not feel that budgetary conditions at the present time would permit the appropriation of the large sums that would be required to meet the existing space needs by direct construction. It believes that continuation of the lease-purchase program will assist in providing the much-needed space for governmental activities, and by reducing the use of the straight leasing method, will result in an overall saving. The committee therefore recommends that the lease-purchase program be extended, with amendments to the existing law that will permit its more effective operation and workability. Senate bill 2261 is a committee bill, sponsored by 11 of the 13 members of the committee.

The committee considered the information presented at the hearings and the amendments to the Lease-Purchase Act that were proposed. It was the opinion of the committee that the program should be extended, and other amendments adopted, particularly those with respect to the funding and financing aspects of the program. This would provide a flexible and workable law and alleviate many of the problems encountered in carrying out the program. While the program has not been entirely successful, the committee still believes it to be a good law, that it can be made to work, that it is the only vehicle for obtaining Federal buildings at the present time, and that the Federal agencies should be given the necessary tools to permit operation under the law.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 411 of the Public Buildings Act of 1949, as amended, 63 Stat. 176, as added by the act approved July 22, 1954, 68 Stat. 518, as amended, is hereby amended as follows:

(a) The proviso at the end of subsection (a) reading *"Provided,* That prior to July 1, 1955, a limitation of not to exceed $5 million is hereby established for such purposes." is hereby deleted and the following added in lieu thereof: *"Provided,* That subject to the foregoing restrictions on total annual payments, any such purchase contract may provide for payments at such intervals as the Administrator may deem necessary and, without regard to the foregoing requirement for equal annual payments, for partial payments during construction to cover interest on and amortization of the earned portion of the purchase price."

(b) By inserting in subsection (c) thereof, immediately after the words "any person, copartnership, corporation,", the words "Federal lending agency, public corporation."

(c) The colon after the word "States" in the fifth line of subsection (d) is changed to a period and the remainder of the sentence reading *"Provided,* That no such agreement may provide for the payment by the United States in pursuance of the terms thereof of moneys in an aggregate annual amount in excess of 15 percent of the appraised fair market value of the property at the date of the purchase contract, or in the case of property where construction shall not have been completed at that date in excess of 15 percent of the fair market value at the date of completion of such construction." is deleted.

(d) By striking from subsection (e) the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960."

(e) By striking out the semicolon at the end of item (2) of subsection (e) and inserting in lieu thereof a colon and the following: *"Provided,* That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum costs set forth in the prospectus without approval of such committee."

(f) By striking item (3) of subsection (e) and inserting in lieu thereof "(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings."

(g) By striking the word "and" following the semicolon in item (7) of subsection (e), by changing such semicolon to a period and by striking item (8) of subsection (e).

(h) By changing the period at the end of subsection (h) to a colon and adding the following: *"Provided,* That the Administrator of General Services is authorized to enter into agreements with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

(i) A new subsection (k) to read as follows is added:

"(k) The faith of the United States is solemnly pledged to the payment of all annual payments contracted for under purchase contracts entered into pursuant to this section and there is hereby authorized to be appropriated in each fiscal year, out of any money in the Treasury not otherwise appropriated, the amounts necessary to provide for such annual payments. Payments under purchase contracts entered into pursuant to this section shall be pledged, if the Administrator of General Services so requires, as security for any loans obtained by a contractor to assist in the financing of the construction of the projects to which the purchase contracts relate."

(j) A new subsection (l) is added to read as follows:

"(l) Wherever, in this section, the Administrator of General Services is authorized to enter into 'purchase contracts' or a 'purchase contract', such authorization shall be deemed to include any contract or series or group of contracts, including but not limited to contracts covering acquisition of sites, preparation of plans and specifications, financial arrangements and construction which the Administrator of General Services deems necessary to effectuate any of the purposes of this section."

(k) A new subsection (m) is added to read as follows:

"(m) Notwithstanding the provisions of the Assignment of Claims Act of 1940, as amended (31 U. S. C. 203, 41 U. S. C. 15), assignment of moneys due or to become due from the United States under any purchase contract entered into pursuant to the provisions of this section may be assigned to any bank, trust company, trust, insurance company, pension fund, other financing institution including a Federal lending agency, or any other individual, firm, or organization, or any public corporation or other public or private entity, providing the financing in connection with any approved project, whether acting as principal or trustee."

SEC. 2. Subsection (g) of section 202 of the Post Office Department Property Act of 1954, as amended (39 U. S. C. 902 (g)), is further amended—

(a) By striking the words "within 3 years after the date of enactment of this act" and inserting in lieu thereof "on or before June 30, 1960";

(b) By striking the word "and" following the semicolon in item (7) thereof and by changing the semicolon to a period, and by striking item (8) thereof.

(c) By changing the period at the end of subsection (h) to a colon and adding the following: *"Provided,* That the Postmaster General is authorized to enter into agreement with any State, county, municipality, or any subdivision thereof providing for reduction in the amount of or for exemption from taxes otherwise payable under this subsection."

SEC. 3. The first section of the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926, as amended (40 U. S. C. 341), is further amended by striking out "That, to enable" and inserting "That (a) to enable," and by adding at the end thereof the following new subsections:

"(b) No appropriation shall be made to carry out the purposes of this act for any project (1) until the expiration of 30 calendar days of continuous session of the Congress following the date on which the Administrator of General Services has submitted to the Committees on Public Works of the Senate and House of Representatives a prospectus of the proposed project, or (2) where a resolution has been adopted by either committee, during such period, stating in substance that such committee does not approve of such a project. For the purposes of this subsection continuity of session shall be considered as broken only by an adjournment of the Congress sine die, but in the computation of the 30-day period there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days to a day certain.

"(c) The prospectus of the proposed project shall include (but not be limited to)—

"(1) a brief description of the building located or to be erected at a given location;

"(2) an estimate of the maximum cost of the site and building: *Provided,* That the maximum cost set forth in any prospectus for any project may be exceeded by an amount equal to the percentage increase, if any, as determined by the Administrator of General Services, in construction costs dating from the time of transmittal of such project to such committees, but in no event shall such increase exceed 7 percent of the maximum cost set forth in the prospectus without approval of such committee;

"(3) a comprehensive plan for providing space for all Government employees in the locality of the proposed project, having due regard for suitable space which may continue to be available in existing Government-owned buildings and in rented buildings;

"(4) a statement by the Administrator of General Services that suitable space owned by the Government is not available and that suitable rental space is not available at a

price commensurate with that to be afforded through the proposed action; and

"(5) a statement of rents and other housing costs currently being paid by the Government for agencies to be housed in the building to be constructed, enlarged, remodeled, extended, or purchased.

"(d) The Administrator of General Services shall submit to the Congress promptly after the convening of each new Congress, a report showing the location, space, cost, and status of each project submitted under this act and uncompleted as of the date of any prior report under this act."

SEC. 4. The prospectuses required by section 1 (b) of the aforesaid act approved May 25, 1926, as added by section 3 of this act shall supersede the reports required by section 4 of the said act approved May 25, 1926, and section 409 of the Public Buildings Act of 1949, as amended (40 U. S. C. 355), and said section 409 is hereby repealed.

SEC. 5. There is hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

DEATH OF KNOX T. HUTCHINSON, FORMER ASSISTANT SECRETARY OF AGRICULTURE

Mr. KEFAUVER. Mr. President, I know that my colleagues in the Senate share the grief of many in Tennessee who knew him well at the death of Knox T. Hutchinson, a very distinguished citizen of my State, who served as Assistant Secretary of Agriculture from 1949 to 1953.

Mr. Hutchinson worked well and effectively on farm programs which have been of great benefit to farmers all over the United States. He was one of the early proponents of rural electrification. Mr. Hutchinson began to organize rural electric cooperatives in 1935 in Tennessee after buying a farm at Murfreesboro. He was a past president of the Tennessee Rural Electric Cooperative Association and of the Middle Tennessee Electric Membership Cooperative.

Always active in farm groups trying to improve the lot of the farmers of the Nation, Mr. Hutchinson was a former chairman of the Tennessee State Grange. He served as vice president of the Mid-South Cotton Growers Association, and as a member of the Tobacco Advisory Committee, Research, and Marketing Administration.

He was a former member of the Tennessee Senate.

After leaving the Department of Agriculture, Mr. Hutchinson returned to his 650-acre farm, which he planned and developed himself, near Murfreesboro, Tenn.

He was a source of sound advice and counsel to me on agricultural matters during my service both in the United States House of Representatives and in the Senate. He will be sorely missed.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

UNITED STATES CHAMBER OF COMMERCE DINNER TO DISCUSS MONOPOLY

Mr. KEFAUVER. Mr. President, some of our friends in the newspaper business have been receiving letters signed by Earl B. Steele, manager of the news and information department of the United States Chamber of Commerce. The letters say that a private, informal dinner is being arranged for a select group of the press for next Tuesday evening. The purpose is stated as being an off-the-record discussion of several phases of the broad subject of monopoly.

As you know—

The invitation states—

the forthcoming Kefauver subcommittee report and a recent Supreme Court ruling lend timeliness to the subject.

The letter states that the following business spokesmen will be on hand to answer questions concerning four areas of the problem:

Mergers: Richard Wagner, chairman and chief executive officer, Champlin Oil & Refinery Co., Chicago, Ill.

Antitrust laws: Mark S. Massel, Belle, Boyd, Marshall & Lloyd, attorneys, Chicago, Ill.

Measuring concentration: Lester S. Kellogg, economist, Deere & Co., Moline, Ill.

Bigness: B. Druster Jennings, chairman of board, Socony Mobile Oil Co., New York, N. Y.

The letter also states:

There will be no speeches, just free-swinging conversation. The discussion will be at 5:30 p. m. in the South American Room of the Statler Hotel. Cocktails will be served at 7:15 p. m. Dinner at 7:45.

It is intended that the discussion will continue through the dinner hour. Others present, in addition to the press and participants will be a few chamber staff specialists who are concerned with the question in monopoly.

I am delighted at this evidence of interest in the problem of monopoly, which has been proceeding headlong for so long, by representatives of the United States Chamber of Commerce.

Previous reports of the the monopoly subcommittee, prior to my chairmanship, have pointed out that we are now in the midst of the third great merger movement in the history of our country. Many smaller firms, which were members of the chamber of commerce, have been swallowed by larger rivals, since our subcommittee began to concern itself with the problem. It is indeed gratifying, therefore, that the chamber itself has become concerned. My only regret is that the meeting is private and off the record. We need more free-swinging conversation on this topic on the record.

I hope that other organizations, including small-business groups, labor organizations, and farm organizations, will enter into the discussions being inaugurated by this chamber of commerce private, informal dinner, which thus far is limited to a select group of the press.

I have always believed in the fullest possible discussion of great, overriding problems, such as this one, so that our free-enterprise economy can be preserved intact and functioning, undominated by either government or any concentrated economic group or interest.

AVAILABILITY TO VETERANS OF DISABILITY PROVISIONS OF THE SOCIAL SECURITY ACT

Mr. NEUBERGER. Mr. President, I am concerned by the amendment reported by the Senate Finance Committee on H. R. 6191, which would deny to veterans with service-connected disabilities protection of the disability provisions of the Social Security Act.

Section 2 of the House-passed bill provides that—

The Social Security Act is amended by adding at the end thereof the following new sentence: "For the purposes of this section, the term 'periodic benefit' does not include compensation to any individual under laws administered by the Veterans' Administration on account of such individual's service-connected disability."

This section was removed by the Senate Finance Committee.

A veteran, wounded in defense of our country, could be drawing service-connected disability compensation from the Veterans' Administration, and, after his return to civilian life, and while in civilian employment, could suffer a total and permanent disability, and could meet the requirements for disability compensation from the Social Security Administration. Such a veteran would be penalized and would be unable to receive the social security disability compensation. Yet there would be two separate injuries, and the veteran would not be drawing disability compensation twice for the same injury.

I do not think it is at all fair to penalize our veterans who were disabled while in active military service defending their country. I strongly urge that the provisions of section 2 of H. R. 6191, as passed by the House of Representatives, be restored.

The House Ways and Means Committee, in its report on H. R. 6191, felt that—

Persons who are receiving compensation for disability incurred or aggravated as a result of service to their country in the Armed Forces should not be required to give up all or part of the disability insurance benefits which they have earned under the contributory social-security system.

I fully agree with the House committee on this matter.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD telegrams I have received from Mr. Don Eva, department commander, and Mr. Joseph P. McDonald, department adjutant, of the American Legion, Department of Oregon; Mrs. Grover Francis, department secretary, and Mrs. Clarence B. Grund, department president, American Legion Auxiliary, Department of Oregon; and Mrs. E. A. Funk, department legislative chairman, American Legion Auxiliary, Department of Oregon.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *June 28, 1957.*

Senator RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.:

Your support of restoration of the provisions of section 2 of H. R. 6191 when it comes to floor of the Senate urgently requested. The American Legion feels that each veteran is entitled to both his service-connected compensation payments and his social-security payments which were deducted from his paycheck while in civilian employment. Depriving veterans of either of these payments places families in jeopardy of

foregoing necessities of life. Close scrutiny of H. R. 6191, section 2, by our Senators of Oregon will be appreciated by all veterans in the State of Oregon and in our great United States.

DON EVA,
Department Commander, American Legion.
JOSEPH P. MCDONALD,
The Department Adjutant.

PORTLAND, OREG., *June 27, 1957.*
Senator RICHARD L. NEUBERGER,
United States Senate Building,
Washington, D. C.:

Please give your attention and support to the restoration of the provisions of section 2 of H. R. 6191 when it comes on the floor of the Senate. We feel that each veteran is entitled to both his service-connected compensation payments and also his social security payments which he helped to pay for while in civilian employment. If both are not paid it will deprive many veteran families of real necessities of life. Your close attention to H. R. 6191, section 2, will be appreciated by all veterans and their needy families, and we expect your approval of section 2 being restored to the measure.

Mrs. GROVER FRANCIS,
Department Secretary.
Mrs. CLARENCE B. GRUND,
Department President, American Legion Auxiliary.

ATHENA, OREG., *June 26, 1957.*
Senator RICHARD NEUBERGER,
United States Senate,
Washington, D. C.:

We want section 2 restored to H. R. 6191. Please approve this measure.

Mrs. E. A. FUNK,
Department Legislative Chairman of Oregon American Legion Auxiliary.

PAYMENT TO GOVERNMENT OF DENMARK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar 581, S. 2448.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2448) to authorize a payment to the Government of Denmark.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, the purpose of the pending bill is to provide a definitive settlement of the claims of certain Danish shipowners whose vessels were requisitioned by the United States Government in 1941. These claims have been the occasion for protracted negotiations between the United States and the Danish Government for the past 14 years. They have constituted a continuing, and I may add, wholly unnecessary, source of irritation between our two governments.

Mr. President, I should like to summarize very briefly for Members of the Senate, some of the background which finally gave rise to the present bill, a bill which has been before the Congress in various forms since 1941.

During the early black days of World War II, 40 vessels of Danish ownership were lying in United States ports. Denmark had been overrun by the German Army, and its Government was under Nazi domination. In disregard of orders from his country, the Danish Minister, Henrik de Kauffmann, who is presently Denmark's Ambassador to the United States, offered to cooperate with the United States, and courageously assumed responsibility for the taking of the 40 vessels in question.

I remember those circumstances very clearly. Shipping was becoming scarce, and these vessels were badly needed. At the time they were requisitioned, it was the understanding of the Danish Minister, as well as of the Department of State, that the Danish owners would receive the same just compensation as was provided for American citizens—in other words, that they would benefit by equal treatment. For reasons which it is unnecessary to develop here, the Danish owners never received the equal compensation to which they believed they were entitled. They brought suits before the United States Court of Claims, but the stipulated judgments entered in their favor provided much less than the compensation which they believed was their due. So far as the domestic law of the United States is concerned, the legal issues involved in the determination of just compensation for the vessels taken over by the United States have been disposed of. But there still remains the question of an equitable settlement of those claims under the law of nations.

Twenty-four of the vessels here involved were sunk during the war. The remaining 16 were returned to their owners. There is no question that adequate and prompt compensation for the use and loss of those ships should have been made by the United States long ago. The Danish Government contends it has not received such compensation, even though it appears to be reasonably clear from the records that the Danes were entitled to equal treatment with our own citizens. Unfortunately, one administrative complication after another, involving differing views between United States agencies as to the basis of compensation to be made for the ships, has delayed fulfilling the promise made to the Danish Government. Finally, an arrangement has been reached between the two Governments which is satisfactory. No opposition is offered by any agency of the United States to the settlement contained in this bill.

Payments made by the United States thus far, under contractual settlements and the stipulated judgments referred to, total $35,432,350. It has been the position of the Danish Government that, under the principle of equal treatment, the shipowners are entitled to an additional $11,950,000. However, in the interest of settling this irritating controversy, the Danes have agreed to accept the compromise sum of $5,296,302 as a final solution of the issue. The Committee on Foreign Relations believes this settlement to be a fair one under all the circumstances inherent in the case.

Mr. President, I think I should call the attention of the Senate to the fact that if the pending bill is not approved, there is nothing to prevent the Government of Denmark from having recourse to the jurisdiction of an international court or tribunal. And before that tribunal, the issue would be whether the amounts awarded in the Court of Claims judgments were such as to satisfy the obligations of the United States toward Denmark under international law. The outcome of such litigation might well be considerably more disadvantageous for the United States than the present settlement.

It is my conviction, Mr. President, that the compensation provided for in this bill would rectify the failure on our part to do justice to a small nation whose friendship we prize, and which is one of our stanchest and most resolute partners in NATO.

I therefore urge the Members of the Senate to give their approval to this bill.

The bill was reported unanimously by the Foreign Relations Committee. I have cleared it with the minority leader. So far as I know, there is no opposition to it.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2448) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to pay to the Government of Denmark the sum of $5,296,302. The payment of such sum shall constitute full satisfaction and settlement in connection with the requisitioning in 1941 and the use and/or loss of 40 Danish vessels during World War II by the United States.

SEC. 2. There is hereby authorized to be appropriated the sum of $5,296,302 to carry out the purpose of this act.

LOUTFIE KALIL NOMA (ALSO KNOWN AS LOUTFIE SLEMON NOMA OR LOUTFIE NOAMA)

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 749) for the relief of Loutfie Kalil Noma (also known as Loutfie Slemon Noma or Loutfie Noama), which was, on page 2, line 2, after "able", to insert ": *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act."

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House to S. 749.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AMENDMENT OF VOCATIONAL REHABILITATION ACT

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 546, S. 1971.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1971) to amend sections 4 (a) and 7 (a) of the Vocational Rehabilitation Act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, the bill was introduced, at the request of the Department of Health, Education, and Welfare, by the distinguished Senator from New Jersey [Mr. SMITH] and the distinguished Senator from Connecticut [Mr. PURTELL]. It was unanimously reported by the Committee on Labor and Public Welfare. It simply extends the time for training doctors, under the Vocational Rehabilitation Act, from 2 to 3 years. All of the other categories of training are kept under the 2-year ceiling. The evidence showed very positively a doctor needs 3 years of training rather than 2 years. That is the purpose of the bill. It does not authorize any more expenditures of money.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1971) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the second sentence of section 4 (a) of the Vocational Rehabilitation Act (29 U. S. C. 34 (a)) is amended by adding the following immediately before the period: ", except that, in the case of a course of study in physical medicine and rehabilitation, such period may not be in excess of 3 years."

SEC. 2. Clause (3) of section 7 (a) of such act (29 U. S. C. 37 (a)) is amended by striking out "for any one course of study for a period in excess of 2 years" and inserting in lieu thereof "for any one course of study, other than a course of study in physical medicine and rehabilitation, for a period in excess of 2 years, or for a course of study in physical medicine and rehabilitation for a period in excess of 3 years."

SEC. 3. The amendments made by this act shall become effective July 1, 1957.

RANK OF WARRANT OFFICERS ON RETIREMENT IN COAST GUARD

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 537, S. 1489.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1489) to amend title 14, United States Code, entitled "Coast Guard," with respect to warrant officers rank on retirement, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the bill is designed to correct an oversight in the enactment of the Warrant Officer Act of 1954. The bill would enable warrant officers to be restored to the right which they had prior to the passage of that act, and would allow them to retire at the highest rate in which they served, and receive corresponding retirement pay.

The bill was reported unanimously by the Committee on Interstate and Foreign Commerce. There was no objection to it. It was indicated the expense in connection with the bill would not exceed two or three thousand dollars a year. I hope the Senate will see fit to pass the bill.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1489) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 243 of title 14, United States Code, entitled "Coast Guard", be amended to read as follows:

"§ 243. Retirement in cases where higher grade has been held

"(a) Any commissioned officer, other than a commissioned warrant officer, who is retired under any provision of section 230, 231, 232, or 234 of this title, or that provision of section 235 of this title which provides for retirement of officers after 30 years' service, shall be retired from active service with the highest grade held by him while on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, but not lower than his permanent grade, with retired pay of the grade with which retired.

"(b) Any commissioned warrant officer who is retired under any provision of section 564, 1263, 1293, or 1305 of title 10, shall be retired from active service with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

SEC. 2. (a) Title 14, United States Code, is amended by inserting the following new section after section 312:

"313a. Retirement in cases where higher grade has been held

"Any warrant officer, W–1, who is retired under any provisions of section 564, 1263, 1293, or 1305 of title 10 shall be retired with the highest commissioned grade above chief warrant officer, W–4, held by him on active duty in which, as determined by the Secretary, his performance of duty was satisfactory, with retired pay of the grade with which retired. However, when the rate of pay of such highest grade is less than the pay of the warrant grade with which the officer would otherwise be retired under section 1371 of title 10, the retired pay shall be based on the higher rate of pay."

(b) The analysis of chapter 11, title 14, United States Code, is amended by inserting the following item:

"313a. Retirement in cases where higher grade has been held."

SEC. 3. The analysis of chapter 11, title 14, United States Code, is amended by deleting the following items:

"303. Compulsory retirement at age 62.",
"304. Voluntary retirement after 30 years' service.",
"305. Voluntary retirement after 20 years' service.",
"307. Retirement upon recommendation of Personnel Board.",
"308. Pay upon involuntary retirement after 30 years' service," and
"313. Retirement in cases where higher grade has been held."

CONSTRUCTION OF TWO SURVEYING SHIPS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 538, S. 2250.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2250) to amend the act of August 5, 1955, authorizing the construction of two surveying ships for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to increase the authorization for the cost of 2 vessels from $3,700,000 to $6,793,243. The original authorization was made in 1955.

It was the opinion of the committee that these ships should be built, but, by reason of inflated costs, it was necessary to increase the authorization. That is the purpose of the bill.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I ask unanimous consent, on behalf of the distinguished junior Senator from Maine [Mr. PAYNE], that a statement prepared by him in reference to Senate bill 2250, to increase the authorized construction cost of two surveying ships for the United States Coast and Geodetic Survey, be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR PAYNE

The bill presently under consideration by the Senate would amend Public Law 251, 84th Congress, by increasing the authorized cost of construction of two surveying ships. It will be recalled that Public Law 251, which was the result of a bill that I introduced, authorized the construction of two ships for the United States Coast and Geodetic Survey. The bill established a limit of $3,700,000 on the cost per vessel. Apparently, as set forth in the committee report on S. 2250, the departmental cost estimate on which this figure was based was in error. Since that time it also appears that ship-construction costs have increased appreciably which, taken with the original low estimate, necessitates a substantial increase in the authorized cost limits for construction of these vessels. It is now reliably established that the vessels will cost $6,793,243 each and S. 2250 would amend Public Law 251 to substitute this new figure for the original one.

At the time the legislation, which became Public Law 251, was under consideration the hearings clearly established the urgent need for the two vessels called for by the act. The degree of need for these vessels today is, if anything, greater than it was 2 years ago. The Survey presently operates five vessels of the type provided for in Public Law 251. Two of these are overage, while a third, a former Navy vessel, is approaching obsolescence.

With this inadequate equipment the Coast and Geodetic Survey must discharge its responsibility for surveying and charting the 90,000 miles of shoreline of the United States and its possessions as well as the 2,317,000 square miles of adjacent waters. Adequate

nautical charts are imperative to guard our commercial and military shipping against disaster, but over 60 percent of the 2,317,000 square miles cited are still inadequately charted or entirely unsurveyed.

The two vessels authorized by Public Law 251 would be specifically designed for Alaskan service where the Survey is engaged in highly important work for the Department of Defense. They would permit the release of a vessel now in Alaska for assignment to the Atlantic coast to conduct much-needed survey work. The oldest of the Survey's present vessels, the *Surveyor* (40 years old), which is none too seaworthy would be scrapped while the 27-year-old *Hydrographer* would be retired.

Although no one is happy about the increased cost of these vessels there can be absolutely no question about the necessity for placing them in service at the earliest possible date. It should be remembered that the loss of 1 ship because of inadequate charts could well cost as much or more than the total combined cost of these 2 surveying vessels. It is my hope that the Senate will approve the bill now under consideration without delay.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2250) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1 of the act of August 5, 1955, chapter 577 (69 Stat. 537, 538) is amended by deleting the figures "$3,700,000" and inserting in lieu thereof the figures "$6,793,243" and by striking out "January 1, 1955" and inserting in lieu thereof "April 4, 1957."

AMENDMENT OF INTERSTATE COMMERCE ACT

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 540, S. 1461.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1461) to amend section 212 (a) of the Interstate Commerce Act, as amended.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SMATHERS. Mr. President, the purpose of the bill is to amend section 212 (a) of the Interstate Commerce Act. It is in three parts. First, to make motor carrier operating authorities subject to suspension, change, or revocation for willful failure to comply with any rule or regulation lawfully promulgated by the Interstate Commerce Commission. The Interstate Commerce Commission advises it does not now have that authority.

Second, to make the revocation procedure prescribed in section 212 (a) for motor carriers conform to the procedure provided in section 410 (f) of the Interstate Commerce Act applicable to freight forwarders by eliminating the term "willfully" in the first proviso of section 212 (a).

Third, to provide that the Commission may, upon reasonable notice, suspend motor carrier operating authorities for failure to comply with insurance regulations issued by the Commission pursuant to section 215 of the act.

The bill was unanimously reported by the Surface Transportation Subcommittee and unanimously reported by the full Interstate and Foreign Commerce Committee.

The PRESIDING OFFICER. The bill is open to amendment.

If there be no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill (S. 1461) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (a) of section 212 of the Interstate Commerce Act, as amended (49 U. S. C. 312 (a)), is amended as follows:

(1) By striking out in the second sentence the words "of the Commission promulgated thereunder" and substituting in lieu thereof the words "lawfully promulgated by the Commission,"

(2) By deleting the word "willfully" in the first proviso, and

(3) By inserting the figure "215," between the figures "211 (c)," and "217 (a)" in the second proviso.

OBTAINING OF CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY BY FREIGHT FORWARDERS

Mr. SMATHERS. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 550, S. 1383.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1383) to amend section 410 of the Interstate Commerce Act, to require freight forwarders to obtain certificates of public convenience and necessity.

The PRESIDING OFFICER. The question is on the motion of the Senator from Florida.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce with an amendment to strike out all after the enacting clause and insert:

That subsection (d) of section 410 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(d) The Commission shall not deny authority to engage in the whole or any part of the proposed service covered by any application made under this section by a corporation controlled by, or under common control with, a common carrier subject to part I of this act solely on the ground that such service will be in competition with the service subject to this part performed by any other freight forwarder or freight forwarders."

Mr. SMATHERS. Mr. President, under the present law freight forwarders are not required to obtain a certificate from the Interstate Commerce Commission. The bill, as introduced, would amend the law to provide that such a certificate should be required for freight forwarders. In its amended form as reported, the bill would merely tighten up the requirements for obtaining a permit. That is all the bill proposes to do.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill amending section 410 of the Interstate Commerce Act, to change the requirements for obtaining a freight-forwarder permit."

SUSPENSION OF APPLICATION OF EXCESS-LAND PROVISIONS IN THE EAST BENCH UNIT, MISSOURI RIVER BASIN

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 583, Senate bill 977.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 977) to suspend and to modify the application of the excess-land provisions of the Federal reclamation laws to lands in the east bench unit of the Missouri River Basin project.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 977) to suspend and to modify the application of the excess land provisions or the Federal reclamation laws to lands in the East Bench Unit of the Missouri River Basin project, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 3, after the word "That", to insert "except as provided in section 2 of this Act", and on page 2, line 4, after "Sec. 2.", to strike out "That waters appropriated by the United States for use in connection with the East Bench unit of the Missouri River Basin project, Montana, shall not be furnished to individual water users in quantities greater than the amount required for a full supply for the irrigation of 160 acres of land as determined by the Secretary of the Interior, excepting users' irrigating units containing class 3 lands who may be furnished water for the irrigation of an acreage equivalent to 130 acres of class 1 lands, as determined by the Secretary of the Interior: *Provided, however*, That water may be furnished for the irrigation of lands owned in excess of the above limitations if the owners thereof execute valid recordable contracts, such as are provided for in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 649–650)", and insert "Any lands of East Branch unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25,

1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e)." In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre", so as to make the bill read:

Be it enacted, etc., That, except as provided in section 2 of this act, the excess land provisions of the Federal reclamation laws shall not apply to lands in the Beaverhead Valley, Mont., lying below the proposed Clark Canyon Dam of the East Bench unit of the Missouri River Basin project, authorized in section 9 (a) of Public Law 534, 78th Congress, approved December 22, 1944 (58 Stat. 887), that are irrigated under existing State water rights, whether the waters used for their irrigation are passed through, regulated by, or stored in the Clark Canyon Reservoir by the United States.

SEC. 2. Any lands of the East Bench unit which are held in private ownership by a person whose holdings of bench lands alone or of bench and valley lands combined exceed the equivalent of 130 acres of class 1 lands shall, to the extent they exceed that acreage, be deemed excess lands. No water shall be furnished to such excess lands from, through, or by means of East Bench unit works unless (1) the owner's total holdings do not exceed 160 irrigable acres or (2) said owner shall have executed a valid recordable contract with respect to the excess in like manner as provided in the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649, 43 U. S. C., sec. 423e). In computing "the equivalent of 130 acres of class 1 land" under the first sentence of this section, each acre of class 2 land shall be counted as thirteen-fourteenths of an acre if in the valley and as thirteen-sixteenths of an acre if on the bench, each acre of class 3 land shall be counted as thirteen-seventeenths of an acre if in the valley and as thirteen twenty-seconds of an acre if on the bench, and each acre of class 4–P land shall be counted as thirteen forty-fourths of an acre.

Mr. MANSFIELD. Mr. President, this bill applies to the East Bench area in the Beaverhead county of southwestern Montana. The main purpose is to permit the establishment on the East Bench unit of irrigation farms which will be of adequate size to provide suitable family livelihood and to meet the cost of water service pursuant to contract with the United States.

The bill is sponsored by my colleague, the senior Senator from Montana [Mr. MURRAY], and I have joined him in sponsorship of the measure. It will apply solely to the East Bench unit located in Montana. It will not affect in any degree application of the 160-acre limitation to other reclamation projects.

Because of the special circumstances of high altitude, climate, and soil conditions, as well as the preexisting established irrigation of the valley lands, this proposed legislation would hardly be a precedent for any other area.

It is my understanding that this bill was reported from the committee with the unanimous approval of all the members.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill (S. 977) was ordered to be engrossed for a third reading, read the third time, and passed.

IMPLEMENTATION OF TREATY WITH REPUBLIC OF PANAMA

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 488, S. 1730, a bill to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill S. (1730) to implement a treaty and agreement with the Republic of Panama, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill.

TRADE WITH COMMUNIST CHINA—A FATEFUL DECISION

Mr. POTTER. Mr. President, there has been considerable discussion lately about relaxing our controls over trade with Communist China, much of it apparently triggered by England's recent decision to put its trade with the Chinese Reds on the same basis as its trade with the Russians.

There are those in high places who have suggested that a reappraisal of our own trade policy regarding Red China is in order. Some of my colleagues have quite frankly suggested that we should ease our present embargo against the Chinese Communists. Strong pressures are expected to be exerted by certain interests to ease the controls.

The thinking seems to be in certain quarters that if other nations of the Free World embark upon trade with Red China, the United States would be foolish not to "get in the swim" and get its share of the expected profits. It is claimed that trade with Communist China would provide a new and expanding market for United States products—that China needs and will continue to need for years to come large quantities of capital goods, and that the United States is one of the nations which can best supply the need. The United States, it is claimed, should remove the embargo because the people of Red China will get a chance to see how much better goods are produced in the United States. Arguments are made that should the United States provide Communist China with capital goods for a few years, the consequent improvement in the standard of living of the Chinese people will result in a market for many of our consumer goods.

Naturally, these economic arguments in favor of trade hold a powerful fascination for those whose paramount interest in any case is always economic in nature. These individuals would trade with Communist China just for the sake of the trade, and would totally disregard the diplomatic, moral, and political implications of such trade.

Those who are not primarily interested in the economics of the situation advance political arguments in favor of trade with Red China. One of the more popular arguments is that such trade would wean Red China away from the Soviet bloc—that the United States should agree to concessions in order to hold together the western alliance. It is believed by some that this trade would pave the way for a long-range adjustment of Asian problems. Some people see trade as a tool for opening China policy to new inspection. Restrictions on trade, it is said, have hurt the United States relations with its allies more than they have harmed Red China. One individual who recently visited Red China reportedly had the following to say on the subject:

Thus far, policies aimed at ostracizing and blockading China have, without undermining the regime, forced it to rely almost exclusively on the Soviet Union.

One of our historians claims there is a bare possibility that the restrictions have forced the Soviets to produce certain items that they may have found easier to purchase abroad. If this be true, he says, the Russians would find themselves less dependent on the outside world if war did come and our restrictions would have defeated the very purpose of their being.

Mr. President, I submit that in any reappraisal of our trade policy with Communist China, numerous and fateful questions must be thoroughly explored and satisfactorily answered. I do not believe we can afford to take a calculated risk on trade with Red China—the stakes are too high—the dangers too great.

As a practical matter we already know the answers to most of these questions if we choose to view them objectively and logically, and if we will remember certain lessons of history.

For example, exactly what effect would trade with Red China have on our present policy of not recognizing her diplomatically and opposing her admission to the United Nations? As my colleagues well know, our records are replete with expressions by both the House and the Senate holding that the Chinese Communists are not entitled to represent China in the United Nations and should not be recognized. As I recall, not one of my colleagues voted against the last such resolution. Indeed, until a few weeks ago not even the least realistic politico would have suggested trading with Red China.

In my judgment, it would be paradoxical, even ludicrous, to withhold diplomatic recognition from Red China and at the same time trade with her. As a matter of fact, it would be highly impractical and tremendously dangerous. We could well win a diplomatic victory and lose a possible future war through such illogical and shortsighted tactics. Trade with Red China would bring strong and unflagging pressures for diplomatic recognition, certainly a tragedy for the United States and the other free nations of the world.

WHY DOES COMMUNIST CHINA WANT TO TRADE WITH THE UNITED STATES AND OTHER NATIONS OF THE WORLD?

Certainly any child knows the answer to this question. As Secretary Dulles stated in his recent address:

> The primary desire of that regime is for machine tools, electronic equipment, and in general, what will help it produce tanks, planes, ammunition, and other military items.

Anyone who believes we can trade with Communist China to any appreciable degree in any type of goods without augmenting her war potential is simply deluding himself—it cannot be done.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I am delighted to yield to the Senator from California.

Mr. KNOWLAND. In view of the situation which prevails does not the distinguished Senator from Michigan feel that the sending of strategic materials to Communist China would be as shortsighted as the action of those who, from the United States and elsewhere, shipped scrap iron and oil to the Japanese war lords, a good deal of which came back at us on December 7, 1941?

Mr. POTTER. The Senator is absolutely correct. The Senator knows that the Chinese Communists are having a most difficult time in the economic field. They need the machine tools and the electronic equipment which we can produce. It would be a worse trade than trading a horse for a rabbit if we should start to trade with Communist China. In other words, the gain to their economy would mean much more to them than any slight benefit which we might derive would mean to us.

The lessons of history should shed some light on this delusion. The scrap metal that was sent to Japan, the oil that went to Italy, and the trade with Germany all helped to prepare these nations for World War II. Those who call for expanded trade with Communist China evidently have forgotten these tragic lessons. They apparently still believe that one can safely do business with tyranny—that somehow we can weaken the forces that threaten our freedom by strengthening them economically and diplomatically.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. The Senator recalls, does he not, that there were a good many people, including some of our allies, who, prior to World War II in Europe felt that they could do business with Hitler; and in doing business with him, they strengthened his warmaking potential to the point where he overran most of Europe, and he and his allies overran a good deal of the Pacific.

Mr. POTTER. Yes. History is replete with examples which show that, by means of trade, we helped to build up the economic strength of a tyrant, who abused the economic well-being which we helped to develop by turning against us. The same result would ensue in this case.

WHAT EFFECT WOULD TRADE WITH COMMUNIST CHINA, CARRYING WITH IT OUR IMPLIED APPROVAL OF ITS TYRANNICAL REGIME, HAVE ON THE FREE PEOPLES OF ASIA AND THEIR FERVENT DESIRE FOR FREEDOM?

I contend that it would be regarded by them as appeasement, and a giant step on our part toward their abandonment. Our influence on these peoples who trust us would be seriously impaired. Certainly they would be disillusioned. The vast sums we have expended, the good work we have done to win these peoples would go down the drain.

WOULD NOT TRADE RELIEVE THE MOUNTING ECONOMIC CRISIS THE CHINESE COMMUNIST REGIME IS FACING ON THE MAINLAND?

Reliable sources indicate that an unprecedented economic crisis is mounting on the mainland. It is caused principally by the refusal of the Chinese peasants and workers to produce, and by the excessive exports of foodstuffs. The refusal of the Chinese peasants to produce has already resulted in the failures of the regime's 5-year industrialization and agricultural plans. These failures have created economic chaos and wide dissatisfaction, which have not been quieted by Communist murders of millions of Chinese. Should we rush into the breach with trade to save the Peiping regime? To do so will aid that regime in eliminating whatever vestiges of anticommunism that are left.

WOULD TRADE WITH COMMUNIST CHINA BE AS PROFITABLE AS SOME CONTEND?

The evidence at hand indicates otherwise. More than 80 percent of all Red China's trade is now with the Soviet bloc, and there is no reason to expect this will materially change. While the United States has a potential, if not actual, abundance of the things Red China desires, that country has comparatively little to offer in trade that we need or desire. China's principal exports are hog bristles, tung oil, litchi nuts, grass mats, tea, silk, and soya sauce. As Congressman BYRD recently stated on the floor of the House, speaking on this same subject:

> My personal view is that the world demand for soya sauce has now reached the saturation point.

Trade to be beneficial to both parties must have the quality of mutuality. This is not possible with the Peiping regime. Our trade would not be with businessmen of China—it would be with the regime. As Secretary Dulles says:

> Trade with Communist China is not a free trade. It does not provide one country with what its people want, but cannot well produce for themselves, in exchange for what other people want, but cannot well produce for themselves. Trade with Communist China is wholly controlled by an official apparatus and its limited amounts of foreign exchange are used to develop as rapidly as possible a formidable military establishment and a heavy industry to support it.

Mr. KNOWLAND. Mr. President, will the Senator further yield?

Mr. POTTER. I yield.

Mr. KNOWLAND. Does not the Senator also believe that, once the trade in strategic materials was established, in addition to bolstering the warmaking potential of Communist China, with the threats which she makes to move into southeast Asia, Korea, Formosa, and elsewhere, we would be bolstering her economic and political system? Once the trade was started, some of the traders would look to the Government to finance the trade; and we would find the American people, in effect, financing the stability of a regime devoted to aggression in the Far East.

Mr. POTTER. The Senator is absolutely correct. The trade apparatus in Red China would be a part of their overall objective, which is to build a war machine to make gains in Asia; and we would be abetting their effort by trading with them, and giving them the materials which they so much desire.

Mr. KNOWLAND. The Senator will recall that in his television speech of June 2 Khrushchev, who is considered to be the leading figure in the Kremlin at the present time, predicted that our grandchildren would be living under Marxian socialism. I believe he is wrong. I believe that, in any fair test of the free system and the Communist system of tyranny, the Free World will win. But I have some doubts only when I find proposals being made by which the Government and the people of the United States, as well as other peoples of the Free World, would bolster the Communist regimes and make them workable. In fact, such a course would make the slaves more content with their Communist masters.

Mr. POTTER. The Senator is absolutely correct. The Senator from California is one of the greatest students of the Asiatic problem in the Senate, or even in the United States. He well knows that today the Chinese Communists have a very difficult and serious domestic problem on their hands. The clamor to expand and liberalize trade with Communist China did not happen overnight. It is a part of their policy. They want to trade with the United States.

They are not seeking such trade because of their love for us as a people or as a nation. They are doing it because they hope, by so doing, they will bolster their economy, and relieve themselves of some of the domestic economic pressure they are experiencing among their own people.

I do not believe that we can liberalize our trade with Red China without eventually—and perhaps much sooner than would seem possible today—recognizing Red China as the government of China in the United Nations, and according that regime diplomatic recognition here.

Trade would be the first step. Are we in a position now to say to the anti-Communist peoples of Asia, "We are selling down the river the National Chinese Government"?

Are we ready to say to the people of Vietnam, the people of South Korea, or even our friends in the Philippines, that we are not too serious about communism, that we consider it only a bugaboo, and that we are ready to appease the Communists by trading with them?

How are the people of the Free World to maintain a strong anti-Communist posture in every critical area of the

world if they see the great United States trying to liberalize her trade with Red China?

Mr. KNOWLAND. Mr. President, will the Senator yield further?

Mr. POTTER. I gladly yield.

Mr. KNOWLAND. I believe that the sequence of events which the Senator has mentioned is certainly a very great possibility. It may not be a probability, but certainly it bears upon the chain of events which would occur; namely, trade; then appeals for setting up economic missions; then appeals for setting up diplomatic missions; then recognition by the Government of the United States; then appeals for admission to the United Nations.

Mr. POTTER. The nose would be under the tent.

Mr. KNOWLAND. The camel's nose would be under the tent flap. However, when we come to consider that point, it is not merely the admission of another country, albeit Communist, to membership in an organization now comprised of 80 members, which would in itself be not so serious—although I believe it would not be wise—but, because of the nature of the Charter of the United Nations, in accordance with which China is regarded as a charter member, and is a member of the Security Council, the admission of Communist China would mean the expulsion of free China. That would mean that Communist China would be a member of the Security Council.

Once Red China gets on the Security Council, it means a very fundamental constitutional change in the organization of the United Nations. I refer to article 20, paragraph 3, which reads as follows:

> Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members, including the concurring votes of the permanent members: *Provided*, That in decisions under chapter VI and under paragraph 3 of article 52 a party to a dispute shall abstain from voting.

Let us consider that an act of aggression might be committed by the Soviet Union. An appeal could be made under that section that the Soviet Union was not entitled to exercise its veto power because it was a party to a dispute. That parliamentary situation could then be thrashed out. However, once Communist China was made a member of the Security Council, Communist China could say, in effect, to the Soviet Union, "If you commit an act of aggression, and if you are challenged under this provision of the charter, you may abstain from voting, and we will exercise the veto for you."

That would change the whole concept and destroy the last opportunity we would have of overcoming a Soviet veto in the face of an aggression committed by it.

In other words, the Soviet Union could scratch Red China's back and Red China could scratch the Soviet Union's back.

Mr. POTTER. Mr. President, I thank the Senator for his observation. In other words, as I understand the Senator's statement, if this chain of events should be allowed to get under way, Communist China would eventually wind up as a member of the Security Council of the United Nations. There it could have a backscratching arrangement with the Soviet Union. One nation could become involved, and the other nation could remain innocent and in that way protect its partner. It is a point we should consider before we permit this first effort, this first link in the chain reaction, to take place. I am sure that would happen.

Mr. President, I think it would develop that the expected benefits from trade with Communist China are illusions and at best they would be extremely transitory. The rich China market is largely a myth used for pro-Communist propaganda. Foreign trade in Communist China is a state monopoly and it is used as a major political instrument, not for mutual benefits.

Under any circumstances, do we want to trade with Communist China as long as the Peiping regime is in power?

Can we so quickly forget Korea? Can we so quickly forget our firm resolutions against the admission of Communist China to the United Nations? The American people have not forgotten the treatment of American prisoners by Communist China, nor have they forgotten that American prisoners still are held illegally by Communist China.

Mr. President, Communist China is an outlaw nation because of her past actions. Her aims for world conquest, just as those of the Soviet Union, have not changed in the slightest degree. I am convinced that to embark on trade with Red China would be to help her and the Soviet Union obtain their objectives. How could we possibly be so foolish and inconsistent?

Mr. President, I have touched briefly on this serious subject of such importance to our country and it is my intention to pursue it more thoroughly at appropriate times in the future.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, as I understand, the pending business before the Senate is Calendar No. 488, S. 1730, to implement a treaty and agreement with the Republic of Panama.

The PRESIDING OFFICER. The Senator is correct.

Mr. MANSFIELD. For the information of the Senate, it is the hope of the leadership that the Senate will consider not only that bill on Monday, but also, conditions permitting, Calendar No. 547, S. 2406, to authorize the construction of certain works of improvement in the Niagara River for power and other purposes; and Calendar No. 584, S. 1869, to amend the Tennessee Valley Authority Act.

DISARMAMENT NEGOTIATIONS AT LONDON

Mr. COOPER. Mr. President, the proposal yesterday of the United States, the United Kingdom, Canada, and France to the Soviet Union represents a most encouraging development in the current disarmament negotiations at London toward a first-step agreement between the West and the Soviet Union.

The United States suggestion of a 10-month suspension of tests of nuclear weapons, joined with a cessation of the production of fissionable material, provides a practicable basis for a first-step agreement, especially when viewed in the light of Soviet acceptance of the requirement for scientific inspection posts to detect and control the nuclear testing.

No disarmament agreement at whatever stage of the proceedings, however limited, will be free of risks. But I suggest that the delegations of the United States and the other Western Powers have demonstrated an accurate assessment of the risks and the alternative—the continued danger of nuclear war—and have recognized the overriding benefits of a first-step agreement.

In recent weeks, extensive criticism has been directed at the administration for its purported failure to take the initiative in offering constructive proposals toward disarmament.

I recall that I discussed this question with the Senator from Montana [Mr. MANSFIELD] in connection with a very able speech made by him on this subject on June 17 of this year.

I suggest today that the developments in London yesterday have demonstrated clearly that this administration has indeed taken the initiative in advancing serious, constructive proposals before the Disarmament Committee; that our Government is not seeking an "all or nothing at all" agreement; but is, on the contrary, patiently seeking agreement on workable, step-by-step approaches to world disarmament.

The proposal of the United States, if accepted, will represent a partial acceptance, at least with respect to nuclear tests, of the principle of inspection, the base of all United States disarmament proposals; and second, will assure the substance, rather than the form, of disarmament by insisting that any suspension of nuclear tests shall be tied to further agreement to control the production of nuclear weapons and fissionable material. It is an effort to secure the substance of disarmament, rather than the appearance.

I think no one will disagree with the statement that a guaranteed disarmament agreement would be the most important achievement of our time. With such a goal before us, and with definite steps and initiative having been taken, I urge that Congress and the American people support the President, the Secretary of State, and Mr. Stassen in their efforts.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. MANSFIELD. I may say to my good friend, the Senator from Kentucky, for whom I have the greatest respect and admiration, that earlier today, on the floor, I commended the administration for showing the initiative it did in suggesting a proposal which could lead toward disarmament, both in the testing and the manufacturing of nuclear weapons.

I expressed the hope today, however, as I did a week or so ago, that the proposal was not being submitted on an all-or-nothing, take-it-or-leave-it basis, because I felt that even if our proposal, for which I think the administration should be commended, is rejected by the Soviet Union, then we ought to try the next step, even though it is a small one, and we ought to keep on trying to work out something in the way of a disarmament agreement which would be beneficial to the peoples of both countries and of the whole world.

Mr. COOPER. I am sorry I did not hear the earlier statement of the distinguished Senator from Montana. I know that his interest has been to secure some kind of first step toward disarmament.

Mr. MANSFIELD. I always appreciate what the distinguished Senator from Kentucky has to say, because I have great admiration for him. I am fully aware of his objectivity and fairmindedness.

Mr. COOPER. I value the Senator's statement. I have believed, as have many others, that this administration, including the Secretary of State and Mr. Stassen, have been patiently working to find some approach, some first step, toward disarmament. I have felt that it was not an all-or-nothing proposal which was made by the administration.

AUTHORIZATION FOR COMMITTEE ON BANKING AND CURRENCY TO SUBMIT A REPORT DURING ADJOURNMENT — SUPPLEMENTAL VIEWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Banking and Currency be permitted to file a report extending the Small Business Administration following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I also ask unanimous consent that the Senator from Arkansas [Mr. FULBRIGHT], or any other member of the Committee on Banking and Currency be permitted to file supplemental views following the adjournment of the Senate today or on Friday, next.

The PRESIDING OFFICER. Without objection, it is so ordered.

COST SHARING PRACTICES UNDER AGRICULTURAL CONSERVATION PROGRAM

Mr. COOPER. Mr. President, I have just learned that the Department of Agriculture is considering eliminating or changing several of the cost-sharing practices under the agricultural conservation program. I am particularly concerned about practice A–4, entitled "Initial Treatment of Farmland To Permit the Use of Legumes and Grasses for Soil Improvement and Protection." This is the practice under which the Government shares with farmers the cost of applying lime, rock phosphate, and gypsum to their fields.

This has been one of the most important contributions of our soil conservation work up to this time. In 1955, 15 million tons of lime were applied under the ACP program. Hundreds of thousands of small farmers have greatly benefitted from this practice, which in a great many areas is fundamental to maintaining and improving soil fertility and productivity. Between 1936 and 1955, 348 million tons of lime were used in this way. As my colleagues know, every soil test first establishes the acidity of the soil in order to determine how much lime may be needed to sweeten the earth so that the farmer's crops will flourish.

I would be very much concerned if the Department were to eliminate or seriously limit this practice, which means so much to so many small farmers. In 1955, 51,290 Kentucky farmers participated in the cost-sharing agricultural conservation programs. Kentucky farmers used 1,215,000 tons of lime under this program that year. They paid 32 percent of the cost, or about $1.59 a ton. Kentucky's share of the $32 million cost of this conservation practice was $1,937,000. For all minerals, including lime, it was $3,203,000. No less than 7½ million acres of Kentucky farmland were enrolled in ACP approved practices. I am sure this practice has been followed widely in other States. It is one of the most helpful of our farm programs for the small farmer, who may not benefit proportionately from many of our other farm programs.

Among the other cost-sharing practices which I understand are being questioned at D–1, D–2, and D–3—establishing cover crops for winter or for summer protection from erosion, or for green manure. These are also important.

In approving the 1958 program, which may take place in a few days, possibly as soon as Congress finally approves the agricultural appropriation bill. I hope the Secretary will give every consideration to the value of these practices and the importance of continuing them.

ANNOUNCEMENT RELATIVE TO CIVIL-RIGHTS BILL

Mr. KNOWLAND. Mr. President, while the distinguished Senator from Georgia and the distinguished acting majority leader are in the Chamber, and in conformity with previous statements which have been made on the floor that no procedure would be taken in the Senate until Monday, July 8, relative to the proposed civil-rights legislation, I feel it is only fair to the Senate, especially to the distinguished Senator from Georgia and other Senators who are interested, on both sides of the question, to state that it will be my intention on Monday next, following the morning hour, and when the unfinished business has been laid before the Senate, to move that the Senate proceed to the consideration of the civil-rights bill which is now on the Senate calendar.

Mr. RUSSELL. Mr. President, I appreciate the candor and the spirit of fairness which impels the distinguished minority leader to make the statement which he has just made to the Senate.

It would have been expecting too much, of course, to hope that this cup would not be pressed to our lips. But it is consistent with the spirit of fairness which the Senator from California always displays to advise us as to the time and the manner in which we will be expected to drink this potion. I appreciate his fairness and can assure him that some of us will be on the floor at that time on Monday to discuss the motion.

Mr. KNOWLAND. I appreciate the statement made by the distinguished Senator from Georgia. There is no Member of the Senate who is more respected, on both sides of the aisle, than is the Senator from Georgia.

I am very hopeful that after a reasonable consideration of the motion to take up the bill, we may have the measure actually before the Senate, so that as a deliberative legislative body we can consider the merits or, as the Senator from Georgia might put it, the lack of merits of the particular bill. We might consider amendments which would be proposed from both sides of the aisle. We might be able to debate them and the great constitutional questions and legal problems which are involved, together with the many other questions which are of concern to the Senate.

As a personal observation, I may say that I believe the predominant feeling in the Senate is that the membership does not have closed minds on the subject. I think Senators are prepared to listen to, to discuss, and ultimately to pass judgment upon the various suggestions which may be made. I think it is fitting and proper that the Senate should proceed in that way.

I merely seek, at a reasonably early date, to have the proposed legislation actually before the Senate, so that the arguments of the distinguished Senator from Georgia, his colleagues, and others who are interested may be presented to the Senate. Then we may decide the basic questions of policy and the constitutional problems which are involved.

I may say to the Senator from Georgia that, as one Member of the Senate, I shall listen to the arguments with an open mind and try to seek what I think and hope will be an equitable solution for all sections of the country.

Mr. RUSSELL. Mr. President, I likewise wish to thank the distinguished Senator from California for his statement.

At this time I am not prepared to fix any specific time when any specific action will be taken on the bill. One who is in a minority, at least as to the overall aspects of this measure, must of necessity deal with the facts as they are presented, and must take action or decline to take action as the circumstances dictate.

However, I can assure the distinguished Senator from California that, so far as the early discussion of the bill is concerned, on the motion to proceed to its consideration, the speeches will be of no greater length than those ordi-

narily made on the floor of the Senate, in order to make a record of the position of those who oppose the bill. Different Senators will address themselves at not unusual length to different aspects of the measure, in order that it may be clearly understood.

I am grateful to the Senator from California for his statement. I must say that from his side of the fence, it is an eminently fair statement.

I hope that as the debate progresses in the Senate Chamber, we may arrive at some meeting of the minds, at least as to the portions of the bill which I regard as being most objectionable and most vicious; and that the time may come when, after full and fair debate, the Senate may proceed to vote on amendments to the bill.

ADJOURNMENT TO FRIDAY

Mr. MANSFIELD. Mr. President, under the agreement previously entered, I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 2 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, to Friday, July 5, 1957, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 3, 1957:

DIPLOMATIC AND FOREIGN SERVICE

The following-named Foreign Service officers for promotion from class 1 to the class of career minister:

Cecil Wayne Gray, of Tennessee.
Hervé J. L'Heureux, of New Hampshire.
Henry E. Stebbins, of Massachusetts.
Walter N. Walmsley, Jr., of Maryland.

Avery F. Peterson, of Idaho, now a Foreign Service officer of class 1 and a secretary in the diplomatic service, to be also a consul general of the United States of America:

The following-named persons, now Foreign Service officers of class 2 and secretaries in the diplomatic service, to be also consuls general of the United States of America:

H. Francis Cunningham, Jr., of Nebraska.
Leo G. Cyr, of Maine.
Albert B. Franklin, of Massachusetts.

William L. Wight, Jr., of Virginia, now a Foreign Service officer of class 3 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Ernest J. Colantonio, of Massachusetts, for appointment as a Foreign Service officer of class 3, a consul, and a secretary in the diplomatic service of the United States of America.

Albert N. Abajian, of New York, for appointment as a Foreign Service officer of class 4, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 5, consuls, and secretaries in the diplomatic service of the United States of America:

J. Fred Doyle, Jr., of Colorado.
Arthur A. Hartman, of New Jersey.
Roswell M. Parrott, of New York.

The following-named persons, now Foreign Service officers of class 6 and secretaries in the diplomatic service, to be also consuls of the United States of America:

Henry E. Dumas, of California.
E. Paul Taylor, of California.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Helene A. Batjer, of Nevada.
Miss Joan M. Clark, of New York.
Theodore T. Franzen, of New Jersey.
Grenfall L. Penhollow, of Nebraska.
J. Leopoldo Romero, of California.
Alfred Schelp, of Missouri.
Michael Smolik, of Oregon.
John Quincy White, of Minnesota.

The following-named persons for appointment as Foreign Service officers of class 8, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

Madison M. Adams, Jr., of Florida.
Dexter Anderson, of New Jersey.
Stanley Baldinger, of Minnesota.
Edward C. Bittner, of Pennsylvania.
Richard C. Bialock, of Oklahoma.
James E. Briggs, of North Carolina.
Clive Chandler, of Washington.
Vincent J. Cherry of New York.
Paul M. Cleveland, of Virginia.
William M. Clevenger, of New Jersey.
Raymond C. Collins, Jr., of New Jersey.
James F. Coovelis, of California.
Miss Winifred Dana, of California.
Miss Claudette Ann Dartsch, of Illinois.
Robert E. Doran III, of New York.
Ernest A. Duff, of Virginia.
Charles E. Duffy, of Iowa.
James M. Ealum, of Oklahoma.
Miss Mary L. Eysenbach, of Connecticut.
Charles E. Finan, of Washington.
Richard H. Flanagan, of Massachusetts.
Jay R. Goldberg, of New York.
John M. Gregory, Jr., of New York.
Miss Ange Belle Hassinger, of Louisiana.
Richard S. Hawley, of Michigan.
John P. Heimann, of Illinois.
Sean M. Holly, of New York.
John W. Holmes, of Massachusetts.
Harold E. Horan, of Texas.
Alton L. Jenkens, of Massachusetts.
Warren Mark Johnson, of California.
Peter E. Juge, of Louisiana.
George L. Kinter, of New York.
Donald A. Kruse, of Pennsylvania.
Robert Kurlander, of New York.
John J. LaMazza, of New York.
Girard C. Lane, of New York.
George Q. Lumsden, Jr., of New Jersey
John D. McAlpine, of Illinois.
Donald F. Meyers, of Wisconsin.
Herbert T. Mitchell, Jr., of North Carolina.
John H. Moore, of Tennessee.
Donald R. Morris, of New York.
Robert B. Oakley, of Louisiana.
Daniel A. O'Donohue, of Michigan.
Miss Martha Ann Orahood, of Ohio.
Sydney E. Paulson, of Michigan.
Gerald S. Pierce, of Oklahoma.
Dale M. Povenmire, of Ohio.
Henry E. Powell, Jr., of Virginia.
Miss Rozanne L. Ridgway, of Minnesota.
Edward G. Ruoff, of Virginia.
James Sartorius, of New Jersey.
Leslie Andrew Scott, of New York.
Robert S. Steven, Jr., of Rhode Island.
Louis A. Tananbaum, of Colorado.
Thomas A. Thoreson, of Illinois.
Ronald A. Webb, of California.
Kenneth D. Whitehead, of Utah.
Thomas F. Wilson, of Michigan.
Edward C. Woltman, Jr., of Indiana.
Michael van Breda Yohn, of Connecticut.

The following-named Foreign Service staff officers to be consuls of the United States of America:

Leland C. Altaffer, of Ohio.
William S. Harrington, of Florida.
Albert W. Hennig, of Massachusetts.

Daniel J. Herget, of Maryland, a Foreign Service staff officer to be a consul of the United States of America.

(This nomination is submitted for the purpose of correcting an error in the nomination as submitted to the Senate on May 23, 1957, and confirmed by the Senate on June 3, 1957.)

The following-named Foreign Service reserve officers to be consuls of the United States of America:

Keith E. Adamson, of Kansas.
Robert T. Shaw, of Virginia.

The following-named Foreign Service reserve officers to be vice consuls of the United States of America:

Robert C. Pierson, Jr., of West Virginia.

Graham D. Renner, of the District of Columbia.

The following-named Foreign Service reserve officers to be secretaries in the diplomatic service of the United States of America:

Richard H. Dale, of the District of Columbia.

Grant A. Fielden, of Michigan.
Charles T. Katsainos, of Massachusetts.
Harry A. Rositzke, of Virginia.
Winston M. Scott, of Virginia.
Richard H. Webster, of Virginia.

SECURITIES AND EXCHANGE COMMISSION

Edward N. Gadsby, of Massachusetts, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1958, vice J. Sinclair Armstrong, resigned.

IN THE ARMY

The following-named officers for appointment as chaplains in the Regular Army of the United States, in the grades specified under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Adams, Rowland Chrisler, O317852.
Bartholomew, Lisle, O406248.
Betzold, John Wistar, O928364.
Fitzgerald, William Robert, O543296.
Frain, Joseph Edward Xavier, O931365.
Reardon, David Morriss, O502235.

To be captain

Benner, Herman Nathaniel, O552868.
Gefell, Joseph Gerard, O930921.
Griffin, Johnson Linwood, O549048.
Hunt, Frederick Olen, Jr., O1101506.
Krug, Clement Peter Joseph, O522387.
Lam, Alfred P., O434979.
McNally, Carl Patrick, O997366.

To be first lieutenant

Brady, Lawrence Kennedy, O997021.
Cronin, Edward Thomas, O2269693.
Hayes, James Raymond, O2272033.
Hulme, John Wesley, O2273307.

The following-named officers for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, section 3311, and Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Brecht, Helen Frances, WAC, L705117.

To be captain

Bates, Roy Leslie, MSC, O2055437.
Benke, Clyde Willard, MSC, O1686290.
Berg, Frances, WAC, L1020579.
Cooney, Henry Francis, MSC, O2049205.
Knowlton, Homer Clay, MSC, O967638.
Roos, Phyllis, WAC, L803504.
Weatherall, Richard Thomas, MSC, O454176.
Wolfe, Barbara Jane, WAC, L1010600.
Wheeler, Leigh Franklin, Sr., MSC, O1547204.

To be first lieutenant

Allen, Julian Bernard, MSC, O1930091.
Allen, Mary Frances, WAC, L1020152.

Alluisi, Earl Arthur, MSC, O981206.
Borchardt, Kenneth Andrew, MSC, O2271115.
Brissee, John Aldin, MSC, O4013501.
Buell, Leonard Keith, MSC, O4019426.
Burris, Carshal Allen, Jr., MSC, O999096.
Fraser, Betty Rose, WAC, L1010401.
Gregory, Charles William, MSC, O1933649.
Hatfield, Jimmy Lew, MSC, O4007039.
Jefferies, Vashti Volina, WAC, L1010594.
Jones, Evan E., Jr., MSC, O4006608.
Piacitelli, John Daniel, MSC, O2270675.
Thomas, Evan Thomas, MSC, O2271058.
Watson, Dorothy Lea, WAC, L1010364.
Welch, Billy Edward, MSC, O2274205.
Williams, Mary Ruth, WAC, L1010743.

To be second lieutenant

Albright, Ruth Marie, WAC, L1010819.
Allen, Turman Earl, Jr., MSC, O4043295.
Beach, Douglas Johnstone, MSC, O2276857.
Burns, Daniel Ellsworth, MSC, O4018121.
Chapin, George Edgar, Jr., MSC, O1923139.
Chiei, Dante Antonio, MSC, O1924217.
Graff, Norman Howard, MSC, O1876444.
Green, Bruce Edward, MSC, O1937444.
Hahn, Jerry Dean, MSC, O4025204.
Hunt, Kenneth Francis, MSC, O2279269.
Kelly, Peter Charles, MSC, O4033283.
Michael, Patricia Ann, WAC, L1010849.
Musante, John Gustin, MSC, O2275942.
Paul, Hinton Groves, Jr., MSC, O4042948.
Pitchford, Thomas Lew, MSC, O4031625.
Sato, Irving Shigeo, MSC, O4058417.
Shippee, Audrey Bancroft, WAC, L1010843.
Smith, Creed Delaney, MSC, O2284225.
Stoltz, Richard Byford, MSC, O1920432.
Viering, Lois Shulder, WAC, L1010855.
Wait, Wayne Perry, MSC, O4018270.

The following-named officers for appointment in the Regular Army of the United States in the grades specified, under the provisions of Public Law 737, 84th Congress, subject to physical examination required by law:

To be major

Bremer, Ernest Kern, O379612.
Carlan, Ulysses Grant, O378949.
Ferriter, Richard Herrick, O1283397.
Gardner, Hamilton Bonnett, O1644352.
Greer, Henry Bryan, O377192.
Jackson, Robert James, O1822010.
Kenworthy, Max Ronald, O373063.
Rigg, Robert Benjamin, O405863.
Schlotzhauer, Walter Scott, Jr., O328531.
Smee, James Coleman, O363665.
Warren, Robert Eugene, O333975.
Wignall, Kenneth Knowles, O375999.

To be captain

Anderson, Ellis Franklin, O1636920.
Bailey, Gordon Woodrow, O397245.
Barker, Irving Oscar, O1317138.
Barnhill, Gervase Lindsay, O387901.
Benson, James William, O439819.
Brouse, Marion Dale, O947629.
Cadenhead, Charles Robert, O829159.
Cahill, George Thomas, Jr., O1323662.
Calenberg, Harry Douglas, O2017806.
Calhoun, James Robert, O571173.
Cash, Carl Vernon, O588944.
Chapin, Russell Dorsey, O1281354.
Cheatham, Jesse Richard, O413226.
Chrzanowski, John Joseph, O2033277.
Cook, William Byron, Jr., O1280709.
Copeland, Edward Allen, O1638913.
Dale, John Harbert, O422631.
Daskevich, Anthony Frank, O1692601.
Del Mar, Henry Richard, O1305553.
Diaz, Victor Fernandez, O1341081.
Dieleman, William Kearns, O2055141.
Diggs, Jack Franklin, O1173217.
Doeppner, Thomas Walter, O1651813.
Donahue, James J., Jr., O1169084.
Dye, Harold Anthony, O391324.
Ellett, Charles Crittendon, O2035304.
Ellis, Richard Edward, O1104143.
Emerson, John Emory, Jr., O1289711.
Fimiani, Joseph Charles, O1043941.
Gardner, George Milton, O1102250.
Gardner, Richard Marshall, O423242.
Gertie, Raymond Joseph, O1020245.
Greksa, Paul, O1634825.
Grimland, Neal Gideon, O2007495.
Hales, William McKinley, Jr., O405742.
Hardenbergh, Henry Hall, O407498.
Haynes, Thomas Edison, O394443.
Howland, Frederick Paul, O1321413.
Hutchison, Robert Franklin, O445352.
Hutto, Charles Lee, O1950377.
Hylander, Walter Raymond, Jr., O2274100.
Jones, David Leland, O468490.
Kavanaugh, Martin James, O1328704.
Knight, John Newton, O1339880.
Lynch, Eugene Michael, O2011622.
Maddox, William Johnston, Jr., O549455.
Maher, John Ralph, Jr., O1994472.
McElhenny, John Francis, O1997996.
McKinney, John Bradley, O1639652.
Meadows, Byron Dunfee, O1058074.
Michau, Herbert John, O1299605.
Moore, Walter Nathaniel, Jr., O1176439.
Morris, Edward Leroy, O887897.
Murphy, Daniel Joseph, O1645234.
Musser, Robert Howard, O386786.
Norris, Charles Reed, O1559956.
O'Brient, Lex Eugene, O1017420.
Parsons, Thomas Reed, O964660.
Patterson, James Henry, O1286698.
Payne, Francis Edwin, O2033319.
Peck, James Mason, O1047288.
Prost, Louis Joseph, O1326110.
Regn, Elmer Martin, O453700.
Reitan, Robert Vernon, O1167172.
Riordan, Frank Joseph, Jr., O465451.
Robinson, Ralph Charles, O2033273.
Roth, Theodore Robert, O1050063.
Sacra, Sam Warren, O1020500.
Schira, Pedro Ivan, O2280089.
Scoggins, Ruel Prentis, O1823947.
Sills, Gerald Herbert, O444780.
Smith, Chester Ray, O1577859.
Stevenson, Leland Lewis, O1597289.
Tate, Roy Askew, O376759.
Taylor, Porcher Lengle, Jr., O2205742.
Taylor, Raleigh Ogle, O1324961.
Thomas, James Dudley, O1053108.
Tobiason, Orville LeRoy, O1172694.
Turner, Leo Dalton, O1336572.
Vohs, Ralph Herman, O1313002.
Walker, John Wilbur, O460495.
Walsh, Joseph Anthony, O1950060.
Webb, George Kenneth, O535946.
Western, George Edwin, O1017861.
Whitlock, Harold Sherrod, O976941.
Whittier, Harold Walter, O1995537.

To be first lieutenant

Abercrombie, Edward Lee, O4011954.
Adams, Basil Royden, Jr., O1875706.
Adessa, Anthony John, O4012222.
Allen, Leverne Elwood, O1925625.
Alvey, Everett Lynn, O2021302.
Anderson, George Brooks, O4019152.
Andrew, Donald George, O1930610.
Back, Arthur Ryan, O4013349.
Baddaker, William Lawrence, O4001392.
Bailey, Ronald Owen, O4016368.
Baker, James Goodwin, Jr., O2097684.
Ballard, Graydon Lee, Jr., O1930262.
Bamford, Charles Frank, 2d, O1927575.
Barton, Jack Lewis, O4001558.
Beatty, Robert Dunn, O1893132.
Beckwith, Charlie Alvin, O1886972.
Bell, Frederick Dawson, Jr., O4000434.
Bell, Wiley Wayne, O1915871.
Bennett, Raymond Gordon, O995614.
Bilderback, Gerald Wayne, O4009396.
Black, James Ansel, Jr., O4012973.
Bole, Albert Cleaver, Jr., O1875493.
Bollinger, Walter William, O1892227.
Bonomo, Reno Joseph, O1939952.
Borzumato, Paul Lawrence, O1875331.
Bowden, John Charles, Jr., O1916167.
Boyd, David Theo, O4023722.
Boyle, Dennis Mathew, O4023425.
Brady, James Pope, O4012904.
Branch, William Edgar, O4013356.
Brandt, Leo Max, O4003694.
Brown, Herman Dale, O1880412.
Browne, Robert Theodore, O1939487.
Brownlee, Emory William, O4012851.
Brumley, William Booth, O2104789.
Bryant, Deewitt Talmadge, Jr., O1879546.
Buchanan, Elton Eugene, O1935922.
Bukoski, James Richard, O1883283.
Burghardt, Charles Allen, O1937358.
Campbell, Laurence Alexander, O4019615.
Carson, David Lee, O1940180.
Cassidy, John James, O1925781.
Chandler, Victor Earl, O1916342.
Chaney, Otto Preston, Jr., O4012859.
Childress, Gerald, O1892123.
Choat, Buddy Jack, O1879168.
Cioffi, William George, O1936016.
Clapp, Max Albert, O1926323.
Clark, Allison Paul, O2264697.
Clark, Donald Olson, O1939701.
Cleghorn, Leonard Vincent, O1939447.
Clingempeel, William Donald, O1877421.
Cole, Raymond Franklin, O4012206.
Coleman, Edward Rolland, O4009131.
Conover, Robert Lloyd, O1882899.
Cooper, Robert Gerald, O4011851.
Coye, Roger Herbert, O1875526.
Culver, James Volk, O2097680.
Cunha, Fredrick Robert, O4021253.
Cunningham, Walter Douglas, O1939449.
Currey, Charles Elmore, O1890399.
Darivoff, Irvin, O4021290.
Davis, Roger Herring, O1880973.
DeLorenzo, William Alfred, O1875875.
Deming, Roger McPetree, O4012297.
Dismore, William Elvin, Jr., O2104527.
Dixon, John Burton, O1880384.
Dobbs, Frederick Herbert, O1938661.
Doby, Robert Floyd, O1940485.
Dodds, Charles Frost, O4009602.
Downey, Allan Norton, O1889275.
Doyle, David Kyte, O1930803.
Doyle, William Patrick, O4004262.
Echols, Herald Vincent, O1915978.
Edmonds, Maurice Owen, O4011567.
Eldred, Marshall Stuart, O2269737.
Elliott, Richard Lorne, O4002778.
Ellis, Donald Douglas, O1890113.
Ellis, William Thomas, O1883679.
Estep, Glenn Richter, O1933308.
Eyman, Robert Franklin, O1889548.
Falk, Dale Robert, O998042.
Fenech, Paul Michael, O1915511.
Ferguson, James Harrison, O4000576.
Field, Nathaniel Armstrong, Jr., O1931542.
Fincham, Jack Emertt, O1892130.
Fischer, Arthur Frank, O1926031.
Fischer, Richard Leo, O1890607.
Fisher, Clyde, Jr., O1929398.
Forbes, Barney Hubbard, O4023505.
Forbes, Stanley Ray, O1872995.
Fowler, Thomas Ross, O4023506.
Francis, Phillip Meyrick, O403322.
Franklin, Charles Dale, O1930282.
Franklin, James Albert, O2004749.
Gabardi, David Lee, O1877598.
Gernon, Thomas Elmo, 3d, O1939983.
Gillespie, John William, O984553.
Good, James Arthur, O4002109.
Green, Albert Francis, O1925061.
Green, William Thomas, O4009352.
Gregerson, William Edward, O4019599.
Griffith, Joseph Kenneth, O2263002.
Gustaveson, Melburn Le Roy, O2211960.
Gutschenritter, Earl John, O1925919.
Hall, Harry Edward, O1929786.
Haller, Douglas Leon, O4002586.
Hancock, Jack Logan, O1877609.
Hannum, David Bentley, Jr., O4009756.
Harmon, Tommy Jay, O1881099.
Harrer, Lee John, O1888168.
Haswell, Peter Russell, O4019937.
Hathaway, Warren Arthur, O4014980.
Heiss, Richard Walter, O1883768.
Hellmuth, Harry Edward, Jr., O4016482.
Hertel, Robert Gene, O1926276.
Hibbs, Joseph Guy, O1889291.
Hillman, John Kenneth, O1884032.

Holihen, Joseph Markham, O1890025.
Howard, William Clarke, O2262442.
Hutchins, Charles Franklin, O1862153.
Hyde, Darwin Spencer, O1889426.
Janssen, Arlo Dean, O1881148.
Jeffers, Sam Eve, Jr., O1939461.
Jensen, William Charles, O1893888.
Johnson, Joseph Edward, O1891422.
Jones, Charles Lee, O1887474.
Jones, Charles Roy, O4003789.
Jones, Richard Allen, O4014074.
Jones, Thomas Michael, O1888140.
Judge, Richard Francis, O1894134.
Kavanaugh, William Walstrum, Jr. O4003274.
Keller, Theodore Reeve, O1927978.
Kelly, Clifford Brian, O1940269.
Kent, John Forrest, O4015550.
Kirkland, Faris Russell, O4020664.
Kitchin, James William, O1885821.
Klingenfus, Emil John O1929416.
Klippel, Kenneth Leroy, O4019032.
Kniffin, Arnold Dean, O1880086.
Kobata, Katsuji, O1927750.
Koehler, William Frederick, O4002030.
Kros, William John, Jr., O1929754.
Krueger, William Henri, O1930311.
Kwasigroch, John Frank, O1888891.
Lacy, James Frederick, O4012389.
Lambert, Richard Thomas, O4004098.
Lander, Robert Benjamin, O2028716.
Lanier, Albert Barnes, Jr., O4012514.
Lanphere, Robert Francis, O4017025.
Larsen, John William, O1929914.
Lawson, James Christopher, O1937379.
Lax, Joseph Oppenheim, Jr., O4013010.
Layne, Leslie Alexander, O1926889.
Leathers, Billy Joe, O4023374.
Le Clair, William James, O4017062.
Ledford, William Valentine, O4005968.
Lees, Robert Edward, O4014815.
Leese, Donald Albert, O4000978.
Leland, David Paul, O4015551.
Lewis, John Potter, O4006671.
Light, Allen H., Jr., O1933629.
Lindsey, Tommy Gene, O1879638.
Lodge, Thomas Carroll, O1926067.
Lowe, Orin Hewitt, O4014983.
Lowery, Carlton Merle, O4014984.
Lucas, Warren Jacob, O1935053.
Ludwig, Donald Joseph, O4020799.
Luepnitz, Carl Adolph, O4015783.
Maga, Fred Dominic, O1940733.
Mallo, Harry Richard, O4002606.
Mallonee, John Brice, Jr., O4009709.
Malmgren, Alfred Charles, O1888093.
Mann, Everett Edward, O1889498.
Marker, Robert Herman, O1928093.
Martellini, Carmen Richard, O4015555.
Matthews, Paul Doran, Jr., O2203036.
Mays, George Glover, O1879801.
McClean, Raymond James, O2104429.
McCrea, J. Hollis Victor, Jr., O4019440.
McDonald, Gerald Lee, O1939324.
McGahee, Mack Milo, O1886933.
McGarity, John Floyd, O4023306.
McGee, Charles Franklin, O1885716.
McGinn, Harry Laurance, O1889651.
McIver, James Clarence, O1888942.
McMahon, John Francis, O1890346.
McNally, John William, O1935372.
McTigue, Donald Hugh, O4006215.
Michael, Lloyd Donald, O4005128.
Miller, Clarence Allen, Jr., O1915281.
Miller, George Franklin, O4020908.
Miller, Glen Robert, O4019098.
Miller, Harvey Fisher, O1939465.
Miller, Kenneth Merrill, O4003186.
Modica, Donald, O4002486.
Moeller, Selmer Eugene, O2264561.
Monroe, Charles Arthur, O4000681.
Mooney, Harley Floyd, Jr., O1341181.
Moran, Conrad Vincent, O1875970.
Morrill, George Henry, O4016181.
Morris, Robert William, O2210607.
Moss, Robert Eugene, O2104613.
Moulthrop, Robert Moss, O2097523.
Munn, Frank Oldham, O4006037.
Munn, William Richard, O4020976.
Murphy, Alvin Frank, O4009425.
Murray, Roger, Jr., O4003478.
Mustain, James Clarence, O1940316.
Nabell, Eugene Victor, C2204840.
Neff, Owen Bates, O1916189.
Negris, Rocco, O4014823.
Niemann, Thomas Eugene, O4007067.
Nolet, Robert Adelard, O1937784.
Norcross, John Cleo, O1879483.
Nunn, Thomas Calvin, O1916053.
Odekirk, Carl John, O2102185.
Oliver, Henry McCarty, O4003652.
Partridge, Charles Cater, O4023837.
Passano, John Dyer, O1935365.
Perry, Richard Arlen, O1880358.
Peters, Billy, O4024040.
Peters, Perry Earl O1888866.
Petterson, Charles William, O1933338.
Phillips, James Vester, O2265085.
Phillips, Ted Nathaniel, O4011659.
Pledger, Walter Robert, O1938640.
Poel, David Jay, O4015929.
Pope, William Aubry, O4019822.
Potter, Russell Calvin, O1883708.
Power, Arthur Vincent, O1341364.
Prevatt, Richard Montgomery, Jr. O1887328.
Price, Francis Kingsley, Jr., O4005929.
Proctor, Lawrence Bert, Jr., O4012663.
Prokopowich, Lucien Ruflan, O4015155.
Pugh, Hilton Edward, O1887509.
Pugliese, Nicholas Rudolph, O1938490.
Pursell, Alfred Burton, O1938662.
Quast, Lorus Lamar, O1889407.
Radke, Galen Wayne, O4005716.
Ragano, Frank Paul, O1690985.
Ramos, Domingo, O1886121.
Ramsey, LeRoy Springs, Jr., O1887331.
Ray, William Eugene, O1934962.
Reum, James LeRoy, O1930662.
Rhodes, Cephus Syrason, O1890951.
Rhodes, Robert Howard, O2004672.
Richards, Howard Charles, O4019865.
Richardson, Ronald Ray, O1888261.
Ridgway, John Joseph, Jr., O4009215.
Robbins, William Curtis, O2003844.
Rogers, Clare Roy John, O4020629.
Rothwell, John Cowell, O1887668.
Routh, Harry Mourice, O4002240.
Saltus, William Thomas, O4003585.
Sanders, Bobby Lee, O4021211.
Sandstrom, Theodore Frederick, Jr., O4002901.
Schiffman, Donald Bernard, O1937135.
Schneider, George John, O4020601.
Schweitzer, Robert Laurence, O2266455.
Segrest, William D., O4005847.
Sewell, William Pierce, O4011979.
Shay, Patrick Earl, O1879875.
Shellenbaum, Glen Earl, O1883293.
Shields, George Duncan, O4019513.
Shields, Maynard Earl, O1887338.
Simmons, John Edwards, O1875409.
Sims, Roy Donald, O4001284.
Skanchy, Rex Karren, O1927333.
Slater, Burt Evans, O4006643.
Smith, Albert Joseph, O1881075.
Smith, George Ellis, O4009586.
Snyder, Clinton Willis, O4000339.
Somers, Charles Edwin, Jr., O1703721.
Spang, Allan Gordon, O1876217.
Sperow, Charles Conrad, O1889880.
Spilker, Wayne Eugene, O1887687.
Spradlin, Glenn Doyne, O1939514.
Stanton, Martin Paul, O4009788.
Staum, Vernon Eldeen, O2104816.
Stephenson, Lamar Voyles, O1880833.
Stewart, Dennie William, Jr., O4001536.
Story, Billy Lorenza, O4011700.
Stromgren, Kenneth Gustave, O1876054.
Strouse, William Richard, O2104223.
Sullivant, Harold Truett, O1886149.
Swisher, Robert Keim, O2210252.
Thorpe, John Clifton, O4009729.
Tonsager, James Richard, O1940290.
Treece, Frank LaRue, O1936733.
Troutman, Gregory Lee, O4011665.
Tucker, Charles Eugene, O1939601.
Turnage, Preston Bryon, Jr., O1936945.
Underhill, Victor Sherwood, Jr., O4021156.
van Sickle, James Patrick, O4006172.
Visscher, Robert Edmund, O4013474.
Wallace, John Claud, Jr., O1894059.
Walton, Ben Lee, O4009538.
Weathersby, Russell Allison, O4011839.
Weinstein, Kenneth, O4015195.
Wells, Don Russell, O1928646.
Westall, Bynum Porter, O2263768.
Westmoreland, Richard Lee, O1887366.
Williams, Thomas Paul, O4023758.
Willmann, William James, O1939480.
Wilson, Robert Drake, O4015644.
Wilson, Walter C., Jr., O1881998.
Witt, John Richard, O1929567.
Wong, Alfred Mun Kong, O1930631.
Wordal, Clifford Milton, O1889336.
Young, Robert Lewis, O1880914.
Ziek, Thomas George, O1935316.

To be second lieutenant

Adair, Billy Roy, O1940831.
Adams, Bruce Eugene, O4041039.
Ainsworth, Willie James, O4025051.
Allen, Wilbur Roper, O4044606.
Almy, Donald Chester, O4039235.
Anderson, Bruce David, O4029644.
Anderson, John Alfred, O4029634.
Anderson, Lee Earl, O4010640.
Anderson, Richard Leon, O4018516.
Andrews, Donald George, O4029127.
Arciero, Robert Gaetano, O4038246.
Austin, Kenneth Blaine, O4026902.
Awtery, Sherry Eugene, O4023707.
Axnix, Eugene Joseph, O4029863.
Baeten, Harold John, O4041575.
Bailey, George Arthur, O4039392.
Bailey, William Robert, Jr., O4031804.
Bails, James Robert, O4041788.
Baker, Jack Eugene, O1930261.
Bare, Frank Lee, O4040469.
Barge, Beverly Lake, O4063185.
Barkate, Joseph George, O1941120.
Bausler, Donald Ray, O4010345.
Berg, Roland Elliott, O4030035.
Berschauer, Walter L., O4050385.
Bjorn, Edward Douglas, O4030881.
Blake, Richard James, O4010500.
Blow, James Lee, O4058977.
Boling, Douglas Lowell, O4016523.
Bowden, Robert Cecil, O4042954.
Bowdoin, William Ralph, Jr., O4024508.
Bozymski, Valentine Walter, O4000961.
Bracewell, Roland Allen, O4034150.
Bradberry, William N., Jr., O4033535.
Bradbury, William Delph, Jr., O4023784.
Bradford, James Carrow, O4031672.
Bramlett, James Timothy, O4029472.
Brandon, Claude Eugene, O4041977.
Brandt, Ronald Stirling, O4057027.
Brennan, William Bernard, O2276217.
Brown, Arnold Kaywood, Jr., O4053454.
Browning, Robert Abner, O4018181.
Bruder, Robert Willard, O4029734.
Bryan, Thomas Francis, O1887398.
Buchanan, Paul Joseph, O4041931.
Bunyard, Jerry Max, O1941318.
Burckes, Melvin Stearns, O4028817.
Burkard, Danny Joseph, O4024723.
Burke, Thomas Benjamin, O1940874.
Burns, Harris, Jr., O4028714.
Burt, Woodruff Arthur, O4057144.
Bush, Charles Edward, O2105117.
Caine, Thomas William, O4028982.
Caldart, Donald Edward, O4018417.
Callaway, Charles Patrick, O4043148.
Cameron, Duane Greer, O4032552.
Cameron, Frank Norman, O4051454.
Campbell, Frank Donald, O4044414.
Campbell, Robert James, O2282540.
Caprio, Daniel William, O4042789.
Cardwell, Kenneth Edward, O4027730.
Carlson, Gustaf Raymond, O4016230.
Carpenter, Herbert D., O4042005.
Carpenter, Jake Allen, O4049788.
Carroll, George Francis, Jr., O4010576.
Casson, John Cotterell, O1874998.
Caswell, Philip Preston, O4038532.
Cathcart, James Elton, O4044621.
Chapin, Gordon Richard, O4030271.

Chick, Robert Lamont, O4060055.
Chillcott, Dewey Arthur, Jr., O4035966.
Chisolm, Patrick Donald, Jr., O4058559.
Cholak, Barry Stanley, O4048627.
Christenson, John Martin, O4010333.
Cipriano, Alexander William, O4037856.
Clark, William Lee, O4028156.
Clarke, Gordon Howe, O4027130.
Click, Edwin Francis, O4031733.
Cline, Ellis Franklin, O4035500.
Closs, William Roorebach, O4027845.
Cloutier, Joseph Arthur, Jr., O4037482.
Coast, Albert Frank, O4026212.
Coker, Walter Richard, O4058731.
Cole, Donald Joe, O4040400.
Collins, Billy Charles, O4045250.
Colson, Keith Quentin, O4017587.
Comer, Winston Lee, O4048422.
Concilla, Joseph Anthony, O4004427.
Conlin, Leonard Morgan, O4052412.
Cooley, Edward Eugene, O4009975.
Coon, David Perkins, O4034918.
Cornell, Robert King, O1940853.
Cosby, Lloyd Neale, O4035180.
Costino, Michel, O4017727.
Courey, Charles Jerome, O4041513.
Cowart, William Franklin, O4044591.
Cowden, Carl, Jr., O4030724.
Crawford, William Roy, O4042749.
Crawley, Paul Kimpleton, O4030893.
Creley, Thomas John, O4029857.
Crosby, Richard Dudley, Jr., O2282856.
Dail, Robert Bourne, O4010947.
Dal Corobbo, Bruno Valentino, O4061384.
D'Amico, John Francis, O4037352.
Dareos, Pete John, O4048238.
Darling, Allan Lewis, O4017839.
Darrah, Robert Finley, O4040864.
Davis, Dwight Andrew, O4037794.
DeWitt, William Weldon, O2021987.
Dedyo, John, O4015594.
Demmons, William Herbert, O4027948.
Denton, Eugene Harold, O4042029.
Devers, John Patrick, O4045220.
Dickinson, William George, O4004325.
Dill, Bobby Mendel, O4042877.
Dillon, Richard Emmett, O4053338.
Dirmeyer, Robert Pinckney, O4024860.
Dismukes, James Russell, O4044721.
Dixon, Allen Cloar, Jr., O4010114.
Doane, Colin Robertson, O4053464.
Dobbs, Herbert Hotaling, O4030032.
Dorey, Fred Orwin, Jr., O4036094.
Dorsey, Don Stuart, O4050303.
Dreher, Henry Edward, O4037871.
Drolte, James Elmer, O4041325.
Drury, Peter Francis, Jr., O4038236.
Dukes, William Carlyle, O4036793.
Dull, Harry Lloyd, Jr., O4050162.
Edgeman, Ronald Winfred, O4027941.
Edwards, Donald Marvin, O4006996.
Ehrmann, Edward Joseph, Jr., O4010618.
Elliott, Francis William, O4034200.
Elliott, Joseph Morris, O4033319.
Ellison, James Roy, O4048767.
Erickson, Roland Spencer, O4010116.
Falbo, John Joseph, O4034208.
Fallon, Thomas Francis, O4036917.
Farrow, James Harris, O4044468.
Felker, Dale Richard, O4017429.
Ferguson, Charles Hicklen, O4059090.
Fernander, Bobbie Bernard, O4029331.
Few, Henry Theron, O4045116.
Fickett, William Alden, O4020840.
Finehout, Arthur William, O4014757.
Fitzgerald, Walter Jack, O4000580.
Flood, John Joseph, O4035620.
Folta, Russell John, O4039050.
Fotinos, George Chris, O4040712.
Fralinger, Albert Augustin, Jr., O4042834.
Fratt, Charles Kennedy Poe, O4020098.
Frazer, Rex Lloyd, O4018105.
Fuellhart, Joseph Marsh, O4010250.
Fuqua, Raymond Louis, Jr., O1927823.
Gabrielli, Robert Joseph, O4041268.
Garner, James Edward, O4057778.
Garvais, Donald Francis, O4014940.
Gautier, Augusto Rafael, O4037983.
George, Robert Gerald, O4027074.
Gibbs, Frank James, O4029542.
Giggey, Robert Lincoln, O4052689.
Gilliam, John Joseph, O4050509.
Gminder, Russell, O998868.
Goldberg, Daniel John, O4027693.
Gontarski, Joseph Walter, O4038720.
Gorey, Paul John, O4038251.
Gosney, Robert Russell, O4024422.
Gould, James Louis, O4049806.
Graham, Richard William, O4032038.
Graham, Robert Lester, O4010971.
Grant, Gordon Ellis, O4041394.
Grant, John Clark, O4037440.
Gray, Donald Alva, O4010649.
Green, Donald James, O4018116.
Grens, Walter Brown, O4027633.
Gugel, Donald Neil, O2104724.
Gunsell, Richard Myron, O4056737.
Haendle, Karl Victor, O4044639.
Hair, Eddy Ra, O4037355.
Hally, John Edward, Jr., O4039084.
Hambrick, Jackson Westmoreland, O4045120.
Hammond, Donald Paul, A4045189.
Hampel, Victor Hugo, O1940541.
Hanmer, Stephen Read, Jr., O4046853.
Harl, Neil Eugene, O4056539.
Harms, Norman Dale, O1936112.
Harper, Joshua Allen, Jr., O4032060.
Harris, Robert William, O4030583.
Harrison, William Hardin, O4031230.
Hartrick, William Lee, O4037372.
Harvey, Philip Schuyler, Jr., O4051662.
Hawkins, John Owen, O4058927.
Heath, Edward Wyman, O4017951.
Heinsoo, Heino, O4030813.
Heiss, John Louis, 3d, O4009614.
Henderson, James Morris, O4029412.
Herold, Ernest Joseph, O4010718.
Hess, Carl Holmes, O4037061.
Hesse, Richard Paul, O4042038.
Heuschkel, Donald Gene, O4040382.
Highfill, James Kenneth, O4029816.
Hilbert, Donald Eugene, O4029090.
Hilton, Maynard E., O4037443.
Hinkin, Paul Edwin, O4040852.
Hisey, Jack Edward, O4028082.
Hobbs, Harry Vincent, O1941079.
Hock, Robert Conrad, O4004860.
Hoffert, Charles Edward, O4004235.
Hogan, Joseph Harrie, 3d, O4051769.
Hoglan, Curtis Francis, O4026306.
Holdridge, Gerald Raphael, O4057336.
Holland, John Joseph, O4017530.
Holt, Roscoe Lee, O4026004.
Horn, Joey Ray, O4048139.
Hornish, William Eugene, O4018374.
Hosmer, Calvin, 3d, O4052703.
Hough, Henry Albert, O2211380.
Hove, James Norman, O4040542.
Howe, Robert Hampton, O4045056.
Howell, William Henry, O4028781.
Hudson, Samuel Rice, O4012735.
Huff, Don Burton, O4030737.
Huff, Richard Austin, O4010503.
Hulse, John Edward, O4057857.
Hunt, Forrest Clayton, O4030059.
Hurd, Chetwin, Merrill, O4034491.
Hutchings, John Edward, O4041011.
Hutter, James Lyle, O4048775.
Imholz, Robert Emerson, O4024427.
Irby, Joseph Mettauer Hurt, O4036076.
Irving, Conrad James, O4056426.
Islin, John Alexander, O4035917.
Jackemeyer, Robert Raymond, O4041252.
Jackson, Donald, O4042676.
Jackson, Tracy Howard, O4029238.
Janert, Alfred Charles, Jr., O4024884.
Jarrett, Richard Stanley, O4040951.
Jenkins, Quentin Arthur Lot, O4010156.
Johnson, Carl Nathan, Jr., O4024849.
Johnson, David Straub, O4045609.
Johnson, Jack Oliver, O4017437.
Johnson, John James, O4044876.
Johnson, Sherlock Adolph, O1930552.
Johnson, William Vance, O4048741.
Johnston, Frederick Curtis, O4038927.
Jones, Burten Duane, O4029702.
Jones, Herbert Lewis, O4035981.
Jones, Robert Edwin, O4035189.
Jordon, Horace Edward, O4004363.
Justiss, Robert Earl, O1941132.
Kanamine, Theodore Shigeru, O4017608.
Keane, John Richard, O4003025.
Keasbey, Robert Bruce, O4050126.
Keeling, Edgar R., Jr., O4024497.
Kelley, Victor Bruce, O2207572.
Kelly, Edward John, 3d, O4032389.
Kelly, Thomas Lee, O4025959.
Kelly, William Hyland, O4044179.
Kennedy, Billie Joe, O4041758.
Kennedy, Bruce, O4019948.
Kennedy, Ralph Pollock, Jr., O4045543.
Key, James Leslie, O4025450.
Keyes, William G., O4037109.
Kiefer, Paul Ellsworth, O4050510.
King, Robert Thomas, O4036675.
King, Robert Cotton, O4040917.
Kinz, Richard Allen, O4027618.
Knapp, John Williams, O4032503.
Kolditz, Walter, O4010122.
Konkle, Carl Henry, O4040448.
Kraak, Charles Frederick, O4018048.
Krebs, James Max, O4009488.
Kyle, Norman Richard, O4045011.
Lampe, William James Richard, O4052912.
Langa, John Matthew, O4050265.
Lansdell, Jesse Willard, O4058870.
Large, Ulysses S., Jr., O4044733.
Larson, Raymond Kent, O4029555.
Lasker, Paul Edwin, O4027742.
Lay, Gilbert Richard, O1939501.
Lecklider, Courtney Alan, O4056589.
Lee, Curtis Don, O4057802.
Lee, Quillon Curtis, Jr., O4028897.
Leehane, Daniel Joseph, O4050365.
Lewis, Richard Roland, O4050146.
Libassi, Jerome Joseph, O4051852.
Light, Thomas Mack, O4050131.
Lindgren, Theodore Dean, O4056614.
Little, Robert Pierce, O4036678.
Lloyd, Joseph Walker, O4040973.
Lloyd, Luther Richard, O4029963.
Lockwood, Ronald Duane, O4041861.
Loeffler, John Francis, O4010703.
Lopez, Ramon Reyes, O4030921.
Lorigan, Robert Eugene, O4004793.
Love, Harold Max, O4010899.
Lovelace, Richard Sanders, O4017850.
Luecker, James Frederick, O4056406.
Lund, Robert Everett, Jr., O4042861.
Lundwall, Walter R., O4034927.
Lutz, Clarence Albert, O4056548.
Lyles, Jesse Don, O1941071.
MacDonald, John, O4057825.
MacDonnell, Thomas Aquinas, O4037104.
MacLeod, John Richard, O4032266.
MacManus, Frederick O'Neill, O4025320.
Magrath, Claude Peter, O4052047.
Mahoney, Patrick James, O4052146.
Main, Robert Gail, O4018141.
Mait, Martin Benjamin, O4033991.
Manhan, Robert David, O4010662.
Manzo, John Matthew, O4035627.
Mapes, John Burdick, Jr., O4065620.
Marshall, Thomas Worth, 3d, O4030585.
May, Robert Morris, O4059014.
McBrady, Daniel John, Jr., O4048645.
McBride, David Myers, O4032375.
McCann, John R., O4050300.
McDaniel, Cecil Douglas, Jr., O4044652.
McDonald, Kenneth George, O4049758.
McDonald, Vincent Paul, O4052443.
McFall, Thomas Neel, O4045274.
McGee, Lester Earl, Jr., O4043135.
McGraw, Kenneth Eugene, O4017751.
McGreevy, Daniel Edward, O4050486.
McGruder, Beverly Lettelle, O4036140.
McHugh, Thomas Edwin, O4038924.
McKalp, Homer Diehl, O4036489.
McKee, Robert Wesley, O4045167.
McKellips, John Lee, O1880173.
McNair, Jeptha Isaiah, Jr., O4010513.
McNall, Jack Glenn, O4045933.
Meara, John Joseph, O4035009.
Merrill, Richard Glen, O4019066.
Michehl, Edward Helmuth, Jr., O4030754.
Miller, Richard Earl, O4038355.

Miluszusky, Raymond Jr., O4010261.
Mink, Oscar Gorton, O1926300.
Misajon, Herman Gerald, O4030676.
Mitchell, Stanley Joseph, Jr., O2276722.
Moir, Raymond Charles, O4030323.
Monteith, Gerald Eugene, O4042042.
Moody, John Fleetwood, O4045072.
Moore, David Russell, O4044535.
Moreau, Thaddee Fernand, O4037496.
Morgan, Robert Thompson, O4025538.
Morley, William John, O4042491.
Moses, Thomas Edwin, O1888097.
Murphy, Patrick Joseph, O4049821.
Myers, Bobby Lee, O1939507.
Nagy, William Joseph, O4032988.
Neal, James William, O4034215.
Nelson, Ronald Andrew, O4028223.
Nice, Duane Ray, O4037698.
Nolan, Donald Grant, O4063108.
Nolan, John William, O4059339.
Novak, Andrew Michael, O4044450.
Nugent, Edward Joseph, O4031346.
Nye, Jack Glenn, O4033458.
O'Toole, Hubert Joseph, O4052299.
Oakes, Norman Lee, O4035343.
Oakley, Howard Hughes, O4042304.
O'Brien, John Lydon, O4033006.
Oglesby, John Mohler, O1915144.
O'Leary, Arthur John, O4030520.
O'Leary, Francis Daniel, O4025416.
Oliver, Mahatha Marshall, O4044971.
O'Neil, William Robert, O4042308.
Orkand, Robert Edward, O4031167.
Osborn, Phillip Carrol, O4024638.
Owens, Frank Enos, O4004994.
Pacelli, Vincent Anthony, O4037530.
Padget, Herber Nathaniel, O4028918.
Painter, Brookman Endler, O4052736.
Parham, Paul Biery, O4010595.
Pastor, Paul Anthony, O4052151.
Pece, Henry W., Jr., O4043157.
Penney, Hubert Francis, O4015633.
Perschetz, Gerald, O4029570.
Pershing, Jay Wesley, O4017863.
Pettibone, Clifford Alan, O4040623.
Philbrook, Wilbur Woodbury, Jr., O4039246.
Picillo, Angelo Paul, O4046364.
Pratt, Wilis Goyne, O4004337.
Prescott, Warren Thomas, O4013235.
Prigge, Robert Wallace, O4015585.
Prothero, Ronald Percy, O4033211.
Przedpelski, Zygmunt Jan, O4029683.
Pugh, George Monroe, O4045278.
Pulliam, Nathan McGarity, O4031177.
Pybus, Fred Rayner, III, 04047934.
Quest, Joseph William, O4051984.
Ralles, Gordon Corey, Jr., O4019224.
Randolph, James Willis, O4044544.
Rapkoch, James Michael, O1940720.
Reddell, Gerald William, O4025584.
Reed, Donald Stuart, O4050466.
Regan, John Paul, O4038870.
Register, Benjamin Franklin, Jr., O1873902.
Reid, Robert Leonard, Jr., O4042200.
Reither, Wayne Casimir, O4010633.
Rendine, Alfred John, O4035543.
Rhode, Michael, Jr., O4029377.
Rhodes, Lonnie Dale, O4025938.
Rice, Harley Eugene, O4032412.
Richardson, William Travis, O4058874.
Rider, Archie Allen, O4024702.
Rider, James Dennis, O4025585.
Ripple, Larry Melvin, O1940547.
Robb, James Frederick, O4027533.
Rogner, Emil Albert, O4039006.
Rooker, James Alan, O4040641.
Roop, John Ronald Coleman, O4023456.
Rop, Richard Forrest, O4058854.
Rosin, Roy Rembert, O4040687.
Ross, Joseph Lamond, Jr., O4048654.
Roth, Bernard Jacob, O4039009.
Rowe, Alvin George, O4058031.
Rowe, Richard Herbert, O1937134.
Rowell, Robert Grady, O4042867.
Russell, Benjamin Bradbury, O4038441.
Rutledge, Howard Lilbern, O4042623.
Salley, Ernest Meres, O4013230.
Sanders, MacDwain, O4048605.
Sato, Irving Katsumi, O4040128.
Schaefer, Robert Roy, O4050367.
Schaefer, Rolland Milton, O4017164.
Schick, Robert Lee, O4039267.
Schilling, William Alfred, Jr., O4033290.
Schmitz, Robert Paul, O4057315.
Schneider, Finis Earl, O1885199.
Schoenstein, Herbert Joseph, O4027083.
Schreiber, Anthony John, Jr., O4036511.
Schull, Dunell Vernon, O4018627.
Scoggins, Larry Elmer, O4058616.
Scribner, Edwin Grant, O4040854.
Seago, Pierce Turner, Jr., O4059190.
Sessions, Jerrald Maynard, O4015732.
Seward, John Mason, O4032834.
Shaw, George William, O4037498.
Sheehan, Stephen Anthony, O4051407.
Shelton, Samuel William, Jr., O1873267.
Sherk, Kenneth John, O4056484.
Shufelt, James Wade, O4035606.
Silva, Edward Henry, O4036703.
Simons, John David, Jr., O4047870.
Slingo, James Frederick, O4052749.
Sliva, Norman Eugene, O4025601.
Smalley, Kenneth Lee, O4024652.
Smith, Alfred Leon, Jr., O4025827.
Smith, John Edward, O4042783.
Smith, Richard Ruel, O4032741.
Smith, Robert Severin, O4039011.
Somerville, William Alan, O4059472.
Spring, Ronald Dee, O4032440.
Springman, Robert Wayne, O4019805.
Springstead, Bertin Walker, O4046888.
St. Peter, Robert Eugene, O4057709.
Stapleton, John Ruskin, O4030950.
Stein, Albert Edward, O4027480.
Stempel, Robert Carl, O4053310.
Stengel, Robert Miller, O4053506.
Stewart, Frank Shaw, Jr., O4049787.
Stewart, Harold Lloyd, O4075239.
Stewart, William Allen, Jr., O1931586.
Stimeare, Robert Ray, O4004734.
Stires, Buell Wilson, O4047758.
Stone, Leon Haynes, Jr., O4028642.
Storm, Forest Clyde, O4057263.
Strom, Roy Malcolm, O4030548.
Stroup, Glenn Allen, O4059062.
Studer, Richard Edward, O4038875.
Sullivan, Noel Edward, O4027797.
Sullivan, Roy Franklin, O4024407.
Sumner, Brice Saunders, O1889779.
Swartwout, Donald Clayton, O4028635.
Sweetwood, Dale Richard, O4057266.
Taylor, Emmett Kirk, Jr., O4058588.
Taylor, Francis Carroll, O4045094.
Taylor, James Oliver, O4040356.
Taylor, Joseph Wayne, O4058682.
Taylor, Terry Arthur, O4026293.
Terry, Clifford Frank, O4017240.
Terzopoulos, Nicholas, O4010184.
Thayer, Henry Jerome, O4044676.
Thomas, Charles Reid, O4045096.
Thomasson, William Cloud, Jr., O4042837.
Thompson, Albert Garrison, O4025992.
Thompson, John Ulysses, O4024914.
Thompson, Robert Summers, O2264946.
Thompson, Thomas P., O4028086.
Thorson, Albert Sheron, O4049978.
Tigh, Leland Frederick, Jr., O4027203.
Toner, Francis Joseph, O4033135.
Torbett, William Cleburne, 3d, O4025593.
Towle, Thomas Joseph, O4038884.
Trent, Warren Thomas, Jr., O4024064.
Troeltzsch, Lloyd Alvin, O4017970.
Troknya, Robert James, O4032138.
Tucker, Tye Bright, O4044901.
Tutwiler, James Douglas, O4049941.
Tyler, Thomas Hardy, O4031123.
Ueltschi, Donald Richard, O4042209.
Valli, Louis Angelo, O4004948.
Valz, Darwin Kenneth, O4036788.
Valz, Donald Joseph, O4030851.
Van Houten, William, 3d, O4042668.
VanPool, Jack Lavern, O4025482.
Vandenberghe, Henry Emil, O4010536.
Vanderschaaf, John Nolan, O4030286.
VonGortler, Frederick Carl, 3d, O4028173.
Vosbein, Henry Michael, Jr., O1940977.
Walker, Mickey Arthur, O4044851.
Wallin, Spencer Dean, O4053415.
Wallington, Edward Hugh, O1890081.
Walsh, Clayton Dean, O4041352.
Walsh, Patrick Dana, O4046177.
Walter, John Stanislaus, O4031800.
Walton, John Carroll, Jr., O4025969.
Ward, Stanley Dustin, O4033356.
Wasko, Frank John, Jr., O4010714.
Waters, William Hugh, O4039453.
Watford, John Hardin, O4040730.
Watson, Velvin Richard, O4026421.
Watzling, John Keith, O4027538.
Weinert, Phillip Darden, O4049397.
Welsch, Hanno Fritz, Jr., O1939517.
Wendelken, William Henry, O4032255.
Whipple, Winthrop, Jr., O4037424.
White, Charles Elliott, O4028931.
White, Frederick Basford, O4025394.
Whitten, James Austin, O4026186.
Wiggers, Ralph Garrett, O4017486.
Wiles, James Malcolm, O4057968.
Williams, James Mercer, Jr., O4043015.
Williams, Sylvanus Johnson, 3d, O4025349.
Williamson, Rayburn Leroy, O4017897.
Wilt, Duane Chester, O4033922.
Winkelman, Barry Alan, O4035373.
Winship, Edwin Carroll, O4035320.
Winston, Neil Countess, O4025738.
Wintermute, Edwin Hampton, 4th, O4056709.
Wintz, Edward Kenna, O4027623.
Witte, James Ray, O4026010.
Witter, Robert Anthony, O4032019.
Woliver, Clarence Hugh, Jr., O4024549.
Wolian, Gary Byron, O4030082.
Wolterstorff, Jerrold David, O4040536.
Wood, David Heyer, O4037957.
Woods, Eugene Ray, O4027854.
Woods, James Joseph, O4031853.
Worthington, Howard Leslie, Jr., O2033923.
Yore, Joseph Alexander, O4037990.
Young, William Worsley, 3d, O4024447.
Zane, Thomas Leeds, O4058818.
Zimmerman, Charles Vernon, O4032142.
Zisk, Edward Joseph, O4038969.
Zurbriggen, Donald John, O4017798.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 3, 1957:

United Nations

Neil H. Jacoby, of California, to be representative of the United States of America on the Economic and Social Council of the United Nations.

The North Atlantic Treaty Organization

W. Randolph Burgess, of Maryland, to be United States permanent representative on the Council of the North Atlantic Treaty Organization, with the rank and status of Ambassador Extraordinary and Plenipotentiary.

Diplomatic and Foreign Service

Vinton Chapin, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Luxembourg.

Maxwell H. Gluck, of Kentucky, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Ceylon.

WITHDRAWALS

Executive nominations withdrawn from the Senate July 3, 1957:

Postmasters

Doris B. Duncan, Skippers, in the State of Virginia.

Marjorie C. Mossman, Hamburg, in the State of Illinois.

EXTENSIONS OF REMARKS

Oklahoma Today—Statement by Hon. A. S. Mike Monroney, of Oklahoma

EXTENSION OF REMARKS
OF
HON. ALBERT GORE
OF TENNESSEE
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement the Senator from Oklahoma [Mr. MONRONEY] has prepared concerning the Oklahoma State magazine.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

OKLAHOMA TODAY

The semicentennial souvenir edition of Oklahoma Today has just come to my attention. I am proud to report that, with this edition, our State magazine has come of age. I believe we are catching up with Arizona Highways and the New Mexico magazine, which for many years have had a well-deserved popularity inside and outside those States.

Two outstanding examples of contemporary Indian painting from originals in Tulsa's famous Gilcrease Museum are used for the front and back covers of this issue of the Oklahoma State magazine. The front cover is Blackbear Bosin's very spirited painting, "Eagle Dancer," while the back cover picture, "Bending Willows Setting About the Care of Motherhood," by Woody Crumbo, portrays a peaceful scene.

The land, the people, and the spirit of Oklahoma—all these compel the readers' attention in story and picture. "Oklahoma Family of Man" is particularly interesting. Between the covers, in one way or another, the saga of our State is told from before it was born to the present, with significant looks into the future.

Perhaps one reason I like this issue of Oklahoma Today so much is that the 8 color photographs printed for framing are dramatic proof of some of my contentions through the years—such as my claim that there is nothing in the world quite like an Oklahoma sunset, whether it silhouettes an oil derrick or a barbed wire fence. The photographers, whose work is shown, are Cliff King, Ross Cummings, Jesse A. Brewer, Kazimir Petrauskas, Edith Hogan, Mel Woodbury, and Paul E. LeFebvre, who is the art director. All of the photos are superb.

Congratulations also are in order for the magazine's editor, Dave Loye; the editorial board, composed of Gov. Raymond Gary, Dr. Randall T. Klemme, C. A. Stoldt, Kelly Debusk, and Dave Ware; contributing editors Jeff Griffin, Carl Held, and Miss Juanita Mahaffey; and writers Bill Thomas, Bill Burchardt, and Gladys Jeffords.

The schedule of activities listed by Oklahoma Today as a handbook for visitors to Oklahoma this year gives a comprehensive picture of the State, past and present. The following calendar for July and August records the enthusiasm and variety with which many communities in the State are celebrating the 50th anniversary of Oklahoma's first half century as a State:

JULY EVENTS

1–8. Homecoming, rodeo, beauty pageant, oldtimers picnic, band concerts, fireworks display, Sapulpa.
1–4. First annual Kiowa Indian powwow, Carnegie.
2–4. Rodeo, Wright City.
2–6. Annual Will Rogers Roundup Club Rodeo, R. C. A., Claremore.
3–4. Annual reunion and free hometown carnival in beautiful Redbud Park, Marlow.
3–5. Perkins semicentennial Fourth of July celebration.
3–5. Rodeo, Purcell.
3–5. Indian stomp dance, Miami.
3–6. Picken's intertribal powwow, seventh day for Indians only, Madill.
4. Annual fireworks display, Pryor.
4. Annual carnival, Frederick.
4. Fourth of July celebration, Pawnee.
4. American Legion fireworks display, Boise City.
4. Woods County Day, Freedom.
4. Play Day, Woodward.
4. Fourth of July celebration, Prague.
4–6. Roundup Club Rodeo, Drumright.
6. Dramatization of David and Saul at Holy City, Lawton.
8–10. Twenty-seventh annual Kiwanis Rodeo, Hinton.
4–6. Roundup Club Rodeo, Drumright.
11–14. Junior chamber of commerce rodeo, Miami.
11–14. Twelfth annual Pawnee Indian homecoming powwow—no admission, Pawnee.
12. Old Greer County pioneers reunion, pageant, and parade, Mangum.
16–19. Semicentennial rodeo, R. C. A., Chickasha.
17–20. Rodeo, Pryor.
20. Tulsa Indian powwow dances, Reserve Armory, Tulsa.
21. Fishing boat relay race open to all boats 16 feet and under with outboard motors, Fort Gibson Lake, Wagoner.
24. Tulsa League all-star baseball game, Tulsa.
24–27. Oklahoma quarter horse show and race meet, Enid.
25. Seventh annual street square dance festival, Pawhuska.
26–28. Eleventh annual international Roundup Club's Cavalcade—world's largest amateur rodeo, Pawhuska.
28. Ardmore's birthday celebration, Ardmore.
31–Aug. 1–2. Golden Jubilee Championship Rodeo, R. C. A., Duncan.

AUGUST EVENTS

1–3. Jaycee Rodeo, Broken Bow.
2–3. Junior Rodeo (Quarterback Club), Talihina.
2–6. Rodeo, R. C. A., Lawton.
2–4. All-Colored Rodeo, Drumright.
4–6. Reenactment of Kiowa-Comanche Indian land drawing (actual drawing for a small tract of land), El Reno.
6. Lawton's birthday celebration, Lawton.
8. Watermelon festival, Rush Springs.
13–17. Twenty-second annual rodeo, R. C. A. Stock to be furnished by Gene Autry & Associates, Ada.
13. All-State high-school baseball game, Tulsa.
13. All-State high-school basketball game, Tulsa.
15. All-State high-school football game, Tulsa.
17. Tulsa Indian powwow dances, Tulsa.
18. Runabout cruiser race (for cruisers 21 feet and under), Fort Gibson Lake, Wagoner.
18–24. The Will Rogers country pageant, Claremore.
19–24. American Indian Exposition, Anadarko.
22–23. Annual rodeo, Madill.
22–24. Cimarron Cowhand Reunion and Rodeo, Freedom.
24–25. Ozark Singers Association convention, Miami.
26–30. Sooner State dairy show, Enid.
28–Sept. 1. Will Rogers Memorial Rodeo, R. C. A. (4 nights and Sunday afternoon), Vinita.
29–Sept. 1. National hot-rod races, fairgrounds, Oklahoma City.
29–Sept. 1. Elk's Rodeo, toughest of 'em all, Woodward.
29–Sept. 2. Ponca Indian powwow, Ponca City.
30–31. Roundup Club rodeo, Tahlequah.
31. Sucker Day, Wetumka.

Labor's New Broom, No. 2

EXTENSION OF REMARKS
OF
HON. PAUL H. DOUGLAS
OF ILLINOIS
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have the second part of the radio panel discussion on the program Labor Answers Your Questions printed in the CONGRESSIONAL RECORD.

There being no objection, the discussion was ordered to be printed in the RECORD, as follows:

LABOR ANSWERS YOUR QUESTIONS

(An AFL–CIO public service radio series, program No. 10, Labor's New Broom, No. 2. Guest, Al J. Hayes, chairman of the AFL–CIO ethical practices committee, AFL–CIO vice president, and president of the International Association of Machinists. Panel, Senator PAUL H. DOUGLAS, of Illinois; Senator WAYNE MORSE, of Oregon. Moderator, Harry W. Flannery.)

Mr. FLANNERY. Labor answers your question.

You have been reading stories about the investigation of improper activities in labor by the select Senate committee whose chairman is Arkansas Senator JOHN MCCLELLAN. You probably have questions in mind. Perhaps you want to know what labor itself is doing to help clean racketeers and other corrupt persons from its ranks.

Last week, we began to take up this subject in a discussion with the chairman of the AFL–CIO ethical practices committee, Al J. Hayes, who is also an AFL–CIO vice president, and president of the International Association of Machinists. Mr. Hayes was heard as he talked with two United States Senators who have been active in Congressional investigations and procedures: PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon.

In this program, Labor's New Broom, we continue the discussion as broadcast from the office of Senator DOUGLAS in the Senate Office Building here in Washington.

Senator DOUGLAS. Now, Mr. Hayes, since I was chairman of the committee which conducted the investigations into health and welfare funds, I wondered if you would say a few words about the standards which you believe to be proper, in connection with these funds?

Mr. HAYES. Well, of course, I think that our code on health and welfare funds actually answers that question. We are in favor of the strictest type of regulation of health and welfare funds.

Senator DOUGLAS. I have your code before me, and that very clearly states as a matter of self-discipline, that no union official is to profit, either directly or indirectly, from the funds; and that, also, he is not to have his relatives profit as insurance agents and so on.

Mr. HAYES. Actually, the code prohibits anyone connected with the union, receiving a salary from the union, from collecting any supplemental salary from a health and welfare fund—even if he performs a service for the fund—as a trustee or an administrator or health and welfare representative.

Senator DOUGLAS. Now, after studying this matter for some time, I came to the conclusion that what the Government should do would be to require full reporting of all the details of these funds to a public agency, and then, disclosure to the beneficiaries and to the public of these facts, so that the white light of publicity would always beat in upon them. And we believe that this would be a great deterrent.

Now, we have found great reinforcement from your movement, in advocating full disclosure. And I want to pay tribute to you for doing this. I wonder if you have any comments that you would like to make on this principle of full reporting and full disclosure?

Mr. HAYES. Well, the only comment I have, Senator Douglas, is that we are in favor of it. We're in full accord with your bill in that regard. However, we feel that this should apply to any type of health and welfare funds.

Senator DOUGLAS. Oh, that is in my bill, not merely to union-managed funds or jointly administered funds, but to employer funds. And I personally have been pained to find that the National Association of Manufacturers, which is urging strict regulations of union and jointly administered funds, are, nevertheless, claiming exemption for employer funds.

Mr. FLANNERY. Senator, I want to ask you in connection with these health and welfare funds, how many of them are union administered?

Senator DOUGLAS. Well, only about 2 percent, Mr. Flannery, 8 percent are jointly administered by the unions and the employers, but 90 percent are employer administered; so that if you merely regulate union or union and jointly administered plans, you are only regulating the tail of the dog. The real dog consists of the employer-administered plans, and these are the plans which have the major resources, amounting now to almost $40 billion.

Mr. FLANNERY. The bill which has been sponsored by yourself, by Senator MORSE and others, would provide for the covering of all of these funds as far as the law is concerned?

Senator DOUGLAS. That is correct. And the NAM would confine the plan to the 8 or 10 percent only.

Senator MORSE. Well, PAUL DOUGLAS, I want to say that I'm proud to be a cosponsor of your bill, because I think you're completely on the right track; you're doing a great service to the American people as well as labor and employers. I, too, regret that we have the opposition of great employer groups to a thorough-going analysis and disclosure of welfare funds. It's interesting also that some of the great insurance companies seem to want to take a hands-off policy when it comes to welfare funds.

Senator DOUGLAS. Mr. Hayes, I wonder if you'd say a word or two about the codes that you've adopted, notably the one on union financial practices and then on union democracy.

Mr. HAYES. It might be well to mention all of the codes, at least identify them, and also other policy statements that are related to the codes. First of all, the federation has adopted a code with regard to local union charters. This code prohibits the granting of local union charters to any individuals that are not qualified to become members of the unions, and are not qualified to be union officials.

The second code is with regard to administration of health and welfare funds, which we've already discussed.

The third code deals generally with racketeers, crooks, Communists, and Fascists in the labor movement, and prohibits any union from aiding and abetting such elements.

The fourth code deals with conflicts of interest, and in substance or in a general way, prohibits a trade union official to have any interest that conflicts with his primary responsibility to the membership of his union.

Then the fifth code, recently adopted, has to do with all of the phases of financial practices in a labor union.

Senator DOUGLAS. I notice that there you require an audited statement which will be made available to the membership.

Mr. HAYES. Yes. Made available to all local unions and to every individual member of the union, periodically.

Senator DOUGLAS. And you believe, and I think this is correct, that if the audit has to be made by an outside agency, that this will lead not only to greater efficiency and economy, but it will also be a deterrent and protection against possible temptation.

Mr. HAYES. Yes, and it might be well to mention that this financial code applies to the local unions as well as to the national and international unions.

Senator DOUGLAS. And I wonder if you'd say a word about this last code that you've adopted, namely, about union democracy.

Mr. HAYES. The last code deals with union democratic procedures, and assures to the membership—to the rank and file membership of the union—the opportunity to decide how its union is going to be operated.

Senator MORSE. I want to stress that because I think it's one of the great public demands. The public is so misinformed about it; the public seems to think that labor runs an oligarchy or a dictatorship in the handling of union affairs. The public doesn't realize that almost all unions—some exceptions—but almost all unions are just little democratic states, really, as far as their own procedures are concerned.

Senator DOUGLAS. This isn't true of all unions.

Senator MORSE. No—I say most of them; some of them are not. But a great majority of them are certainly democratic states where the delegates from the local union level on up, really under democratic processes control and determine union policy.

Mr. HAYES. Well, Senator MORSE, I said in some recent speeches that I've been making at colleges that the machinists union which is typical of approximately 90 percent of unions, insofar as our procedures were concerned. And in our organization, all of the laws that govern the organization were adopted by the membership in a referendum vote; these laws can be changed only in a referendum vote. Even the delegates at convention are not empowered to change the laws. The officers of the organization are nominated and elected by the membership, and not by convention delegates. I say that more than 90 percent of the unions in the federation are as democratic in their procedures as are the machinists union. And this is not commonly known to the American public.

Senator DOUGLAS. I notice that you provide that union officials should hold office not to exceed 4 years, and should be elected by democratic methods either by referendum or by the vote of a delegate body which is itself elected by a referendum or at union meetings.

Mr. HAYES. That's correct.

Senator DOUGLAS. And also that all conventions should be open to the public.

Mr. FLANNERY. What is the procedure, Mr. Hayes, in case of violation of these codes? What happens?

Mr. HAYES. In case of violation of the code, of course, the ethical practices committee is duty bound to investigate all of the reasons for the violations and the extent of the violations, and submit——

Mr. FLANNERY. How does the violation come to the attention of the ethical practices committee?

Mr. HAYES. In many ways—either it can be reported to the executive officers of the federation who then refer the matter to the ethical practices committee, or it is reported directly to the ethical practices committee. And the ethical practices committee then, on its own motion or by direction of the counsel of the federation or the executive officers, can conduct a formal investigation to determine whether or not there has been a violation of any of the codes of policies or laws of the federation, and the extent of the violations. Then after the investigation has been conducted, the ethical practices committee submits it reports, its findings and recommendations to the executive council. And then the executive council takes action on the report of the ethical practices committee.

Mr. FLANNERY. Senator DOUGLAS, would you believe from your experience, your knowledge of unions, and so forth, your study of these particular codes, that there is hope of labor being able, along with Congressional committees cooperating, to be able to do its job in cleaning house definitely?

Senator DOUGLAS. Oh, yes. I think the formulation of these very carefully worked out codes will be of great help, and then the fact that a committee has been set up to carry them into effect will be a real advantage. Now, in all these matters eternal vigilance is the price of liberty, and we need to work at this. But I do want to say that I think the labor movement has stepped out ahead of industry and business in these matters, and I would like to see industry and business adopt similar codes.

Mr. FLANNERY. Is there a final word you'd like to say, Mr. Hayes?

Mr. HAYES. Yes, Mr. Flannery, I think that organized labor needs the help of Government, needs the help of industry, needs the help of business, and others—in first of all minimizing whatever may be wrong within the trade union movement and ultimately eliminating this wrong.

I think, however, that help must come from people who are sincerely dedicated to helping the trade union movement, and not hurting the trade union movement. And we certainly solicit that help—from Congressional committees, from State legislature committees, from industry, and from business.

Mr. FLANNERY. Thank you very much. Very good indeed.

Thank you, gentlemen. You have just heard a discussion on Labor's New Broom, the AFL–CIO ethical practices code, with Al J. Hayes, chairman of the AFL–CIO ethical practices committee, and two United States Senators, PAUL DOUGLAS, of Illinois, and WAYNE MORSE, of Oregon. Mr. Hayes is also an AFL–CIO vice president and president of the International Association of Machinists.

For copies of the codes, address AFL–CIO Radio, Washington, D. C.

For further answers to your questions on labor today, you are invited to be with us next week at this same time. This is Harry W. Flannery speaking for the American Federation of Labor and Congress of Industrial Organizations, which has presented this program as a public service in cooperation with this station. Next week, same time, same station, labor answers your questions.

The Importance of Foreign Students in the United States, and of United States Students Abroad

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. WILEY. Mr. President, one of the most significant factors in international relations today and tomorrow is the welcome presence in this country of 40,666 foreign students and the presence abroad of 9,887 American students.

No one can now foresee the tremendous role which these youngsters will be playing in the years ahead, in communicating to others what they have studied, seen, heard, and lived in the course of their studies in a different land.

That is why it is always a particular pleasure for me to visit with foreign student groups here in our land.

It is why I welcome the important work of the Institute of International Education, the work of International Student Houses here and in other cities, and the work of the vast variety of other American groups and centers which contribute in many ways to the hospitality of foreign students in our land.

CONSTRUCTIVE WORK OF EMBASSIES

Foreign governments in turn are keenly aware of the opportunities and challenges of this subject. Here in Washington, one of the principal tasks of many of the embassies is to contribute to and facilitate the studies of the large foreign student contingents in our country. The embassies rightly regard this as one of their most important tasks.

I know that this is the case with our friends in the Indian, the Korean, the Iranian, and other Embassies.

Moreover, many of the ambassadors, the minister counselors, and cultural counselors make numerous speeches before American college audiences in order to help familiarize folks on the campuses with the background of the countries which they represent.

UNIVERSITY OF WISCONSIN HAS MANY FOREIGN STUDENTS

In Madison, the University of Wisconsin has been host to a vast assembly of students from abroad. We are proud of this heavy foreign contingent, and I know that Madison is playing an extremely effective role in foreign policy in this respect.

But what it does for these foreign students, it does spontaneously, because it regards the student, whatever his nationality, as a seeker of truth. It welcomes the student, whatever his origin, into all activities of academic and campus life.

ANSWERING MISINTERPRETATIONS

Madison recognizes, as does every college town, that when foreign students come here, they can see with their own eyes, and hear with their own ears, the "real America."

In turn, when our youngsters study abroad, they can get a better idea of the truth in foreign countries.

Each student, in turn, can help to answer misinterpretations and misunderstandings.

Each can, in friendly, frank exchanges, discuss the viewpoints of the respective countries.

We are all aware that there are, unfortunately, a tremendous amount of misunderstandings. We do not know enough about foreign lands, and foreigners do not know enough about us.

WE MUST LEARN MORE ABOUT THE EAST

We have an especially great deal to learn about the East, about the countries of Asia and the Middle East, and Africa, as well.

These Asian-African lands are coming into their own. If we are to have the fullest friendship with them, then we must understand the facts about them, and they about us. That was one of the points brought out in various meetings of the Washington Educational and Cultural Attachés. This is a fine group, to which I have previously referred in the RECORD.

I send to the desk now the text of an article on the theme of minimizing misunderstandings. It was written by Malvina Lindsay, in the July 1 issue of the Washington Post and Times Herald. Its title is, "Window on Asia is Still Murky." I ask unanimous consent that the article be printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WINDOW ON ASIA IS STILL MURKY

(By Malvina Lindsay)

Americans increasingly find themselves in a goldfish bowl in which they are being observed by the world's youth. But, like goldfish, they are seemingly neglecting to observe their observers.

Thirty years ago students throughout the world flocked to Western Europe to study. But today, according to a National Science Foundation report, there are annually as many students of other nations in the United States as there are foreign students in all the universities of Western Europe.

A majority of the 36,500 foreign students here are from Asian countries. Excepting Canada, the largest number is from India.

Yet knowledge here of India, indeed of all Asia, is meager and distorted. One reason is that American culture has its roots in Europe. Also Europe is first choice with Americans who go abroad to study. And American tourists make Europe their stamping ground.

Much light is thrown on American misconceptions of India—the world's largest Republic in point of population—by a study, What American Students Think About India, made by Dr. Palayam M. Balasundarum, visiting scholar at Columbia University.

Four hundred students at 12 leading northeastern colleges were questioned in the survey. In general the results were encouraging. Most of the students were objective in their judgments, aware of their ignorance, eager to improve their understanding of a country so important to the democratic world.

In some colleges where there had been contacts with sister colleges in India, or where Asian area studies were included in curriculums, much accurate knowledge of India's political and social development was manifested. But the misconceptions that existed among students in 12 of the country's highest ranking colleges scholastically were a clue to the far greater amount of ignorance concerning India that must exist among citizens generally.

Many an American concept of India was expressed by a Princeton senior who, when asked what associations came to him with the word "India," replied, "It is exotic; people are poor for the most part; it has a lot of tigers."

The highest number of students questioned associated Gandhi and Nehru with India. The second ranking image was of India's social and religious institutions. Yet only 2 percent of the students mentioned Indian villages, although 8 out of 10 Indians live on the land and depend on agriculture.

The students were slightly more favorable than unfavorable to India's foreign policy—those with the most factual information being the most favorable. Two hundred and fifty-four did not object to intermarriage. Those who did object did so chiefly on difficulties of cultural adjustment rather than racial grounds.

The survey revealed great desire by the students to improve their knowledge of India. A Cornell student said, "As the future leaders of our country, it is appalling to think that we are so poorly informed on such a vital subject as India."

Dr. Balasundarum feels that one of the chief gaps in American knowledge of India that the survey revealed was that concerning India's rural community development, which is an integral part of the first and second 5-year plans. For on this depends largely the raising of Indian standards of living and the nation's future destiny.

In his conclusions Dr. Balasundarum says that mass media information concerning India that goes beyond the spot-news level or personality coverage is greatly needed in this country. Also needed is more accurate teaching about India in grade and high schools, as well as in colleges. Especially recommended is more social and cultural contact of Americans with the Indian students here.

Such contacts between East and West need to be increased in every college and in every community in which there are Asian students. Social get-togethers are helpful, but also needed are cultural meetings in which discussions can reach a deeper level.

Laying of Cornerstone of the Quaker Baptist Church

EXTENSION OF REMARKS
OF
HON. A. WILLIS ROBERTSON
OF VIRGINIA
IN THE SENATE OF THE UNITED STATES
Wednesday, July 3, 1957

Mr. ROBERTSON. Mr. President, last Sunday, June 30, ceremonies were held in Bedford County, Va., at one of the oldest sites of worship in Piedmont Virginia, in connection with the laying of the cornerstone of the Quaker Baptist Church.

The program included reading of messages from Representative BROOKS HAYS, of Arkansas, president of the Southern Baptist Convention, and from Gov. Thomas B. Stanley, of Virginia, and the placing of a cornerstone box containing an interesting collection of mementoes gathered by Kenneth E. Crouch, of the

staff of the Bedford Democrat. Participants in the ceremony included the Reverend L. C. Coffman, Raymond J. Dowdy, and Roy Burnette, who placed the cornerstone; Dr. Wesley N. Laing, who gave the invocation; the Reverend A. W. Connelly, who read the scripture lesson; the Reverend Tearle P. Brown, who gave the dedicatory message; and the Reverend L. Preston Brown, who gave the benediction at the morning service; the pastor of the church, John Layton, who gave the invocation at the afternoon service; the Reverend Fred Harcum, who read the Scripture lesson; W. Curtis English, moderator of the Baptist General Association of Virginia; and the Reverend Floy W. Cox, Jr., moderator of the Strawberry Baptist Association, who brought greetings from those organizations; and the Reverend Charlie M. Shelton, who gave the message.

I ask unanimous consent, Mr. President, to have printed in the CONGRESSIONAL RECORD the texts of the messages of Representative HAYS and Governor Stanley, a list of contents of the cornerstone box, and a brief chronology of the Quaker Baptist Church.

There being no objection, the messages, list of contents, and chronology were ordered to be printed in the RECORD, as follows:

MESSAGE FROM REPRESENTATIVE BROOKS HAYS, OF ARKANSAS, PRESIDENT OF THE SOUTHERN BAPTIST CONVENTION

I am very pleased to extend my best wishes to you on the dedication of your new Quaker Baptist Church building. I think it is wonderful to have continued worship on this same site since 1757, when the Society of Friends held their first service there. The relationship with the Quaker heritage reflects a great sense of brotherhood and a real contribution to the spirit of religious tolerance in America and in Virginia. As president of the Southern Baptist Convention, I wish you and your congregation many years of continued success in preserving this historic landmark and furthering the cause of our great Baptist faith.

MESSAGE FROM GOV. THOMAS B. STANLEY, OF VIRGINIA

I would like to take this opportunity to extend my congratulations to the congregation of the Quaker Baptist Church in Bedford County on its 200th anniversary.

The foundation of this Nation was laid by men and women who believed in God and His influence in human affairs, and from the earliest years these spiritual aspirations have been a vital force in American life.

We give thanks for the religious beliefs of our Founding Fathers for their contribution to the creation of this land of freedom.

The heart of America's greatness still springs from its belief that only through religious faith can men hold firm and uncompromised their spiritual heritages of freedom and the right to live with hope.

CONTENTS OF CORNERSTONE BOX

(Collected by Kenneth E. Crouch)

History of Lower Goose Creek Meeting and Quaker Baptist Church, 1754–1957 with 1880 (earliest on record) and 1957 church membership and all officers since 1757.

Parts of cornerstones from churches built in 1789 and 1957.

Blueprint of church built in 1957.

Church constitution adopted in 1957.

First budget adopted by church in 1955.

Nineteen hundred fifty-seven Strawberry Baptist Association minutes.

"Peeping and spying" law passed by 1956 session of General Assembly of Virginia.

Messages from Gov. Thomas B. Stanley, of Virginia, and Representative BROOKS HAYS, of Arkansas, president of Southern Baptist Convention.

Song, The Old Rugged Cross, autographed by the Reverend George Bennard, author-composer.

Song, Beautiful Bedford.

Folder, What You Should Know About Your Church.

Book, The History of Bedford County, Va.

Bedford County 1954 Bicentennial Program.

Folder of Bedford Chamber of Commerce on Bedford and Bedford County.

Nineteen hundred fifty-four Bedford County bicentennial wooden nickel and 1862 Bedford County paper currency.

Rock and soil from First Baptist Church in Providence, R. I., built in 1638 and oldest Baptist church in America.

Rock and soil from Mill Swamp Baptist Church in Isle of Wight County, in 1714 and oldest Baptist church in Virginia.

Fragments of stones from the birthplace of Christ in Bethlehem, the Garden of Gethsemane, the Cenacle (the upper room in which the Last Supper was eaten), Mount Calvary, and the Church of the Holy Sepulchre at the site of the crucifixion.

Programs of 1953 pastorium dedication, 1955 Easter sunrise service, 1956 groundbreaking service, 1957 first worship service in new church, and 1957 dedication service.

Pictures of 1789 deed, cornerstone of church built in 1789, Dr. J. T. Kincannon, church built in 1899, interior of church built in 1899, pastorium, route 24 marker, artists drawing of church built in 1957, 1956 groundbreaking service, 1899 baptising in Body Camp Creek west of church, 1957 auction sale of church built in 1899, and churches built in 1899 and 1957.

Copies of the Fincastle (Va.) Herald, the Religious Herald (Richmond, Va.), the Bedford (Va.) Democrat, and Ambassador Life (Birmingham, Ala.).

Editorial page of the Roanoke (Va.) Times of March 31, 1957, with column by Dr. Goodridge A. Wilson on oldest churches in southwest Virginia.

CHRONOLOGY OF QUAKER BAPTIST CHURCH

October 9, 1756: Petition presented to have Lower Goose Creek meeting organized by Society of Friends (Quakers).

September 15, 1757: First session of Lower Goose Creek meeting in new house.

1775: Difficult Creek Baptist Church organized.

November 11, 1788: Meeting officially established and named Bedford meeting.

July 27, 1789: Deed recorded for Lower Goose Creek meeting; meetinghouse built same year.

1805: Difficult Creek Baptist Church admitted to Strawberry Baptist Association.

1810: Difficult Creek Baptist Church officially planted by the Reverend Alderson Weeks.

July 1824: Society of Friends release Lower Goose Creek meeting property to Baptists.

1899: New church built.

August 13, 1899: First sermon preached in new church by Dr. J. T. Kincannon.

August 26–27, 1899: Dedication service for new church; Rev. W. S. Royall, speaker.

August 4–6, 1903: Strawberry Baptist Association met at church.

January 7, 1939: Name changed from Difficult Creek Baptist Church to Quaker Baptist Church.

August 1–6, 1949: Historic marker erected by Virginia State Conservation and Development Commission on Route 24.

November 28, 1951: Deed recorded for pastorium at intersection of Routes 24 and 43.

October 25, 1953: Pastorium dedicated; Rev. Wesley N. Laing, speaker.

March 2, 1956: General Assembly of Virginia passed peeping and spying law as a result of case originating at pastorium and in Bedford County courts.

May 27, 1956: Groundbreaking for new church.

October 31, 1956: Actual construction begun on new church.

May 19, 1957: Sunday school and evening worship service held in new church.

May 20, 1957: First sermon preached in new church by the Reverend Floy W. Cox.

June 1, 1957: Old church sold at public auction, purchased by Woodson Tuck for $150.

Baseball and the Antitrust Laws

EXTENSION OF REMARKS

OF

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Wednesday, July 3, 1957

Mr. ALLOTT. Mr. President, recent Supreme Court decisions have expressly indicated that legislation is needed with respect to the application of antitrust laws to professional sports. As a part of my study of this matter, I have asked the Library of Congress to prepare an analysis of the legal and practical issues involved. Mr. Spencer M. Beresford, of the American Law Division of the Library, has been of very great assistance in preparing the comprehensive analysis which I here submit so that it may be available to the many other Congressmen and the committees of both the Senate and the House now working on this complicated and difficult subject.

I have not yet completed my consideration of this problem, and consequently am unable to recommend a specific approach for its solution. It seems clear to me that either complete coverage under the antitrust laws or complete exemption from them is unworkable. The solution requires a sound, flexible, and reasonable application of the antimonopoly regulations in such a manner as to allow the continuance of these great American pastimes within the framework of our laws. This requires reconciling our longstanding policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

This study sets forth the basic problem, and suggests some solutions which I believe to be worth further consideration in our search for the best means of protecting the public interest and the rights of the players and the club-owners.

Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the statement, Baseball and the Antitrust Laws, which was prepared by Mr. Spencer M. Beresford.

I am informed by the Public Printer that the statement is estimated to make 3¼ pages of the RECORD, at a cost of $250.25.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

BASEBALL AND THE ANTITRUST LAWS

This report advances suggestions for preserving professional baseball, and other team sports, while at the same time protecting the players and the public from the usual adverse effects of monopoly.

I. CONCLUSION

There is a large body of literature on this subject, including the series of hearings conducted by the House Antitrust Subcommittee. An attempt has been made to summarize the salient data and opinions contained in this literature, indicating disagreement wherever it exists, and stating reasons on both sides whenever a choice is made between conflicting views.

The conclusion reached in this report is that legislation is needed to amend the Federal antitrust laws so that they will apply to organized professional baseball and other team sports (football, basketball, and hockey), with the following exceptions:

A. Playing rules and the scheduling of games.

B. The organization of leagues and associations, provided that they are reasonably responsive to demand (e. g., in geographic distribution) and that unreasonable barriers are not raised against entry by potential competitors.

C. Reasonable agreements and practices restricting the rights of clubs, leagues, or associations to operate within specified geographic areas.

D. Reasonable agreements and practices restricting the employment of players—provided, however, that farming, blacklisting, and the drafting of a player or the assignment of a player's contract without his consent shall not be excepted.

These exceptions are believed to be justified by the peculiar business conditions of professional team sports. They, nonetheless, are limited by the requirement that they must be reasonable, because they would otherwise be open to abuse. Any other monopolistic practice, such as a restrictive broadcasting agreement, would be an antitrust violation per se. Whether a given practice or agreement was reasonable would be decided ultimately by the courts.

Legislation rather than judicial decision is needed, not only because the courts have already taken the position that baseball is wholly exempt from the Federal antitrust laws and that other professional team sports are not exempt at all, but also because judicial decision would necessarily be retroactive in its practical effects.

II. BACKGROUND

A. Organized baseball

Organized baseball denotes a vast entity consisting of nearly 400 professional baseball clubs divided into 2 major and about 50 minor leagues. This entity is governed by certain agreements and a set of rules administered by a so-called commissioner. The principal agreements are the major league agreement, the national association agreement (minor leagues), and the major-minor league agreement. (The texts of these agreements along with related rules and other matters can be found in the Baseball Blue Books published by the Heilbroner Baseball Bureau.)

The economic importance of organized baseball is impressive. Total receipts are on the order of $100 million a year. This is more than the receipts of all other professional team sports combined. (The major leagues account for more than half the receipts of organized baseball.) Nearly 10,000 players engage in approximately 30,000 games a year before more than 50 million spectators.

Although the restrictive economic practices of organized baseball are numerous and complex, their principal features can be described fairly concisely.

1. Organized baseball has cornered the market for skilled ballplayers by means of the uniform player contract and the player lists (including blacklists). The result has been accurately stigmatized as monopsony in manpower (62 Yale Law Journal 576).

Clubs are forbidden to hire any player unless he signs the uniform player contract. This is a 1-year employment contract with a renewal clause enabling the club to renew the contract unilaterally for another year. The renewal clause is widely known as the reserve clause (because the club reserves the right of renewal). Since the renewed contract will be identical with the old one, it will also contain a reserve clause, and can in turn be renewed, and so ad infinitum. (In practice, it appears, a player normally signs a new contract containing a reserve clause every year.)

By signing the uniform contract, a player agrees to recognize the authority of the commissioner, and abide by the rules of organized baseball.

The uniform contract may be unilaterally terminated or assigned by the club, but not by the player. The player cannot play for any other club unless his contract has been assigned or he has been released. (Major league rules 3 (a) and 3 (d); major-minor league rules 3 (a) and 3 (d); national association agreement, secs. 15.01 and 15.04.)

It is fairly generally agreed that this system of employment eliminates effective competition for the services of players already under contract. Critics of the system have stated that there is complete absence of equality in bargaining position between clubs and players. Certainly a player under such a contract has little freedom to change or to bargain with his employer (club), and is doubtlessly paid substantially less than he would be paid in a free labor market.

On the other hand, it is probably true that the reserve clause enables the poorer clubs to keep in the running. Uniform player contracts were adopted, in 1879, for the avowed purpose of equalizing the playing abilities of the different clubs. If the reserve clause were abolished, it is probable that the playing abilities of the clubs would become more unequal, the richer clubs getting a higher proportion of the better players; and that players' salaries, while generally increasing, would also become more unequal. Some clubs, especially in the minor leagues, would probably be put out of business.

2. Player lists are submitted annually by each club to the commissioner, and includes the names of players who are ineligible for employment in organized baseball (e. g., for "jumping" their reserve clauses). Other clubs are forbidden by the rules even to participate in any game or exhibition in which any blacklisted player also participates. (Major league rule 4 (a); major-minor league rule 4 (a); national association agreement, sec. 16.01.)

3. The "farm system" supplements the uniform player contract and the backlists through a vertical integration of the labor supply, enabling the major-league clubs to control most (allegedly over 90 percent) of the Nation's ballplayers. A "farm" is simply a club in a lower league which is owned or otherwise controlled by a major-league club. The purpose of the farm system is to give the major-league club more scope in acquiring and disposing of skilled players.

Critics of the farm system have said that the reserve clause is most pernicious on the "farms," where players can be kept indefinitely.

Without the reserve clause (or some similar device), the farm system would collapse, because it would have lost its reason for existing.

4. These restraints on the labor market are somewhat mitigated by the so-called "waiver" and "draft" rules. The waiver rule provides that a player may not be assigned to a lower league till the other clubs in his league have had a chance to "buy" him. (Major league rule 10 (b); national association agreement, sec. 23.02 (a).)

The draft rule enables any club to compel clubs in lower leagues to sell their player contracts for a fixed price. The effect of this rule is very slight, however, because of the limitation that only one player per year may be drafted from a class A or higher club. (Major league rule 5; major-minor league rule 5; national association agreement, sec. 27.)

5. Apart from labor restraints, the restrictive economic practices of organized baseball consist chiefly in (a) territorial agreements and the division of markets, (b) restrictions on entry into the baseball business by potential competitors, and (c) restrictive agreements with respect to radio and television broadcasts and other promotional activities.

These practices are considered as serious in their economic effects as the labor restraints, but simpler and easier to control in practice. Hence, though their importance is emphasized, they will be discussed only briefly.

Since restrictive broadcasting agreements have been suspended since 1951, we need not consider them here except to note that they are monopolistic by universal admission.

(a) Territorial agreements and the division of markets are also clear-cut monopolistic practices. The geographic distribution of major-league clubs, for example, does not conform even roughly (if it ever did) to the distribution of population or income. Los Angeles, the third city in the country, has no major-league club, and Detroit, the fifth city, has only one. Yet Boston and St. Louis until very recently had two apiece. The present maldistribution of franchises is not only uneconomic but is harmful to baseball as a game. It is the main cause of existing inequalities in the playing abilities of the different clubs, and tends to perpetuate and increase these inequalities by favoring the clubs in the wealthier and more populous cities.

(b) It is not practicable to establish new major-league clubs. The number of clubs in each league is fixed at eight—having been chosen for convenience after considerable trial and error. An entire new league would be prohibitively expensive to establish, and would be greatly hampered by the tight control which the present leagues exercise over the supply of ballplayers. Nor can existing franchises be moved, except under extraordinary circumstances; for major-league rule 1 (c) provides that major-league circuits shall not be changed without unanimous consent of the clubs in the same league and approval by a majority of clubs in the other league.

Potential competitors not only find it virtually impossible to join organized baseball; they cannot even play against clubs that are already in it. All clubs in organized baseball are forbidden to participate in any contest or exhibition in which any outside participant appears. (This is rule 1. Major-league rule 1; major-minor league rule 1; national association agreement, secs. 10.06–.08 and 30.03 (a).)

6. During the past 10 years, various concessions have been made by organized baseball under duress—notably under the threat

of competition from the Mexican League, and under pressure from the Justice Department. Concession to players include a salary minimum (major leagues only), a limitation on salary cuts, pensions, and a player-representation plan.

On October 8, 1951, the major leagues rescinded their agreements restricting competition in the sale of radio and television rights. The old rule (major league rule 1 (d) (2)) reads as follows:

"No major-league club shall consent to or authorize a broadcast or telecast (including rebroadcast or network broadcast) of any of its games to be made from a station outside its home territory and within the home territory of any other baseball club, major or minor, without the consent of such other baseball club."

Home territory extended 50 miles from the center of the ball park.

In recent years some flexibility has been shown in the geographic distribution of franchises. Clubs have moved from Philadelphia to Kansas City, from St. Louis to Baltimore, and from Boston to Milwaukee. Nevertheless, over the period of roughly 60 years since the major leagues were formed, their geographic pattern has proved to be very rigid.

The concessions which organized baseball has thus made, though substantial, have been granted as matters of grace, were self-imposed, and are terminable at pleasure.

B. Judicial decisions

1. Baseball

(a) The parent case is *Federal Baseball Club of Baltimore* v. *National League of Professional Baseball Clubs* (259 U. S. 200 (1922)), in which Justice Holmes held for a unanimous Court that organized baseball is not subject to the Federal antitrust laws because (1) a baseball game is a local affair, and hence not interstate, (2) "personal effort, not related to production, is not a subject of commerce" (p. 209).

These are evidently alternative reasons and would be separately sufficient.

Both reasons given by the Court have since been completely undermined.

A baseball game may be local to those who look only at the ball park. But the promotional activities of organized baseball (notably broadcasting and motion pictures) have grown to such proportions as to make it unmistakably interstate. There are many other interstate features—e. g., the nationwide market for baseball players.

Furthermore, the "interstate" concept has been greatly broadened by the courts since the Federal Baseball case was decided; e. g., *Mandeville Island Farms, Inc.* v. *American Crystal Sugar Co.* (334 U. S. 219 (1948)) (agreement by local sugar refiners to pay uniform prices to local beet growers held violation of Sherman Act).

The Court's second reason, that services to ultimate consumers are not "commerce," has also been overturned by later decisions; e. g., *U. S.* v. *South-Eastern Underwriters Ass'n* (322 U. S. 533 (1944)) (holding that insurance is "commerce" within the meaning of the Federal antitrust laws).

Thus, the foundations on which the Federal Baseball decision was explicitly based have long since been destroyed. Although other legal objections could be raised today against the subjection of organized baseball to the Sherman Act in its present form, they do not seem substantial. Specifically, it could be argued that the restrictive practices of organized baseball do not raise prices to ultimate consumers, and are not monopolistic at all but merely monopsonistic restraints on labor (baseball players). But, in addition to labor monopsony, a number of truly monopolistic practices are involved—e. g., the division of markets, restrictive broadcasting agreements. Artificial barriers are raised to entry into the business by a new club or league. The supply of baseball games is artificially limited, and the unit cost to the ultimate consumer is increased. Besides, the common-law concept of "restraint of trade" included restraints on employment. The United States courts have adopted this view. (*U. S.* v. *American Medical Ass'n.*, (110 F. (2d) 703 (D. C., D. C., 1940), cert. den. 310 U. S. 644 (1940)).)

Restrictive labor practices closely similar to these prevalent in organized baseball were involved in *Anderson* v. *Shipowners Ass'n. of the Pacific Coast* (272 U. S. 359 (1926)) (employers who refused in concert to deal with prospective employee held liable under Sherman Act). In that case, a combination of Pacific coast shipowners allegedly fixed the wages of seamen, assigned them to particular ships, and blacklisted those who disobeyed its rules. The Court's decision that such practices violate the Sherman Act would seem to apply with equal force to the labor monopsony in organized baseball.

It is nonetheless arguable that the Federal Baseball decision was at least partly justified for practical reasons because of the peculiar economic conditions of the baseball business.

(b) The Federal Baseball decision was not directly challenged until 1949. Then organized baseball was jolted by the related cases of Gardella and Martin, who dared to play for higher bidders. Gardella was blacklisted for 5 years, for playing with the Mexican League. The district court dismissed his complaint, following the *Federal Baseball* case (79 F. S. 260 (D. C., N. Y., 1948)). But the Second Circuit Court of Appeals reversed and remanded (*Gardella* v. *Chandler* (172 F. (2d) 402 C. C. A. 2, 1949)); see also *Martin* v. *National League Baseball Club* (174 F. (2d) 917 (C. C. A. 2, 1949)).

In the Gardella case, Judge Learned Hand took the view that the radio and television aspects of organized baseball may "mark the business as a whole" sufficiently to justify antitrust regulation (p. 408). Judge Frank agreed, pointing out that the precedents on which the Federal Baseball case relied had since been overruled (pp. 408, 409). Judge Frank called the reserve clause monopolistic; Judge Hand refrained from passing on it, but said that he did not mean to disagree on this point.

The Gardella and Martin cases were both settled out of court.

(c) The next major development involved three baseball-player cases which were all dismissed by the lower courts, on the authority of the Federal Baseball case: *Toolson* v. *N. Y. Yankees* (200 F. (2d) 198 (C. C. A. 9, 1952)), *Corbett* v. *Chandler* (202 F. (2d) 428 (C. C. A. 6, 1953)), *Kowalski* v. *Chandler* (202 F. (2d) 413 (C. C. A. 6, 1953)).

The Supreme Court disposed of all three together in *Toolson* v. *N. Y. Yankees* (346 U. S. 356 (1953), rehearing denied, 346 U. S. 917 (1953)), in the following words:

"Without reexamination of the underlying issues, the judgments below are affirmed on the authority of Federal baseball * * * so far as the decision determines that Congress had no intention of including the business of baseball within the scope of the Federal antitrust laws" (p. 357).

Justices Burton and Reed dissented, urging that the popularity of organized baseball "increases, rather than diminishes, the importance of its compliance with standards of reasonableness comparable with those now required by law of interstate trade or commerce" (p. 365).

Considerably greater light was thrown on this decision by the opinion handed down 2 years later in *Radovich* v. *National Football League* (25 L. W. 4152 (U. S. 1957)). The Court distinguished and explained the Toolson case as follows:

"In Toolson we continued to hold the umbrella over baseball that was placed there some 31 years earlier by Federal baseball. The Court did this because it was concluded that more harm would be done in overruling Federal baseball than in upholding a ruling which at best was of dubious validity. Vast efforts had gone into the development and organization of baseball since that decision and enormous capital had been invested in reliance on its permanence. All this, combined with the flood of litigation that would follow its repudiation, the harassment that would ensue, and the retroactive effect of such a decision, led the Court to the practical result that it should sustain the unequivocal line of authority stretching over many years" (p. 4153).

But "were we considering the question of baseball for the first time upon a clean slate we would have no doubts" (i. e., that organized baseball is within the scope of the Federal antitrust laws) (p. 4154).

At last the exemption of organized baseball from the Federal antitrust laws was explicitly justified on practical grounds alone, and admitted to be an anomaly in the law.

2. Other Professional Team Sports

Baseball is widely regarded as the most monopolistic of professional team sports. Hockey is probably second, being organized much like baseball and having a farm system and player contracts with reserve clauses. Football and basketball are relatively competitive.

Although at the present time baseball alone is exempt from the Federal antitrust laws, no reason is known or appears to have been advanced for any difference in treatment between baseball and other professional team sports.

The courts might well have held all professional sports exempt from the Federal antitrust laws, either on the reasoning of the Federal baseball case that they are local affairs not involving the production of goods, or conceivably on the ground of congressional intent advanced in the Toolson case. In fact, they treated baseball as unique. In cases involving other professinal sports, they were less concerned to explain why those sports were subject to the Federal antitrust laws than to explain why baseball was not.

In *U. S.* v. *International Boxing Commission* (348 U. S. 236 (1955)), the Supreme Court reversed a decision based upon the Federal Baseball and Toolson cases, and held that those cases apply to baseball only. Professional boxing was held to be within the scope of the Federal antitrust laws because of its promotional activities (notably the fact that a substantial part of its revenue was derived from the interstate sale of radio, television, and motion-picture rights).

It seems to follow from this decision that the promotional restraints of all professional sports, including baseball, should be subject to the Federal antitrust laws. It does not necessarily follow, however, that the player-contract restrictions of professional team sports should also be subject to those laws; different treatment for team sports could be justified on the ground that they require some limitation of playing competition among clubs and leagues.

But, in *Radovich* v. *National Football League*, supra, the Supreme Court held that professional football was within the scope of the Federal antitrust laws. (Radovich, who had been under contract to a National League football club, was blacklisted for playing with a club outside the league.)

III. DISCUSSION

The problem is to reconcile the general policy against monopolies and unfair competition with the peculiar economic requirements of organized baseball and other professional team sports.

A. It is generally acknowledged that the present organization, agreements, and practices of organized baseball lead to the usual undesirable consequences of monopoly, both for the players and for the consuming public. In particular, they tend to produce the following results:

1. Reduce and equalize competition among clubs for players already under contract.

2. Deprive each player already under contract of freedom to choose his employer or his place of work.

3. Reduce and equalize players' salaries. (Although the median major-league player is paid a good salary ($10,000 to $15,000 a year), his minor-league counterparts are not (roughly $2,000 a year in class D leagues)).

4. Freeze the present geographic maldistribution of club franchises.

5. Prevent the entry into the baseball business of new leagues, clubs, etc.

6. Reduce the supply of baseball games, and raise the prices paid by spectators.

B. On the other hand, there is fairly general agreement that some restraints on competition are justified by the peculiar economic conditions of professional team sports. The blanket application of the Federal antitrust laws to organized baseball would probably wreck it. Cooperation among competitors is required to produce a marketable product.

Note that this reasoning does not apply to individual sports such as golf or boxing. Nor does it apply to any restraints on competition which do not promote strictly necessary cooperation or equality of playing ability among different clubs.

C. The problem is complicated by contradictions between baseball as a business and baseball as a game. Restrictive territorial agreements, for example, are not strictly necessary forms of cooperation, nor do they promote equality of playing ability among different clubs (in fact, quite the contrary). Yet it is arguable that they should be permitted, within reasonable limits, because of public loyalty to hometown clubs and players and public belief in the loyalty of players to their clubs.

D. Similar considerations as to public loyalties and beliefs support restrictions on the employment of players. Such restrictions are independently justifiable, since they promote equality of playing ability among different clubs. The point here is that they also bind a given player to a given club, and so help to preserve public confidence in baseball as a game. It is concluded that they should be allowed within reasonable limits. In determining what limits are reasonable, the public (spectator) interest should be balanced against the liberties and economic interests of the players. Everyone would probably agree that players should be paid (roughly) in proportion to their services, should have reasonable opportunities for advancement, and should be treated fairly (i. e., without discrimination). It follows that the waiver and draft rules shall be permitted if universal, at least if no draft or waiver prices are charged, but that "farming" and "blacklisting" should be prohibited, and that no player should be drafted, or his contract assigned, without his consent.

E. If restrictive employment practices in organized baseball are thus relaxed, one result will admittedly be a tendency for the richer clubs to get a higher proportion of the better ballpayers. This undesirable tendency will be partly counteracted by limitations on territorial agreements and on the division of markets. In addition, it will probably be necessary to make compensatory changes in the employment conditions of ballplayers. Universal waiver and draft rules and the abolition of waiver and draft prices have already been suggested. Bonuses for new players should probably be prohibited too; and both minimum and maximum salaries should be set by agreement in each league. Other modifications will no doubt be worked out by trial and error. For example, the unionization of ballplayers would facilitate the setting of salaries, and would probably improve the players' employment conditions in other ways. (However, it offers no general solution for the problems of baseball, since it would probably have no effect, for example, on the maldistribution of club franchises. Furthermore, unionization is considered a rather unlikely development, in view of players' attitudes toward it in the past.) Player contracts of more than a year might be adopted. An impartial board of arbitration might be established, to set salaries and perhaps even to assign franchises. Sealed competitive bids for players' services might be submitted annually, for acceptance or rejection by the players themselves. In short, while it is impossible to foresee or prescribe all the specific modifications of employment practices in organized baseball which could and should be adopted under freer and more competitive conditions, it is evident that a number of suitable devices are available to accomplish all the desired results.

IV. OTHER POSSIBLE SOLUTIONS

In arriving at the conclusion set forth at the beginning of this report, it was necessary to consider other possible solutions. These will now be briefly discussed, in the interests of clarity and convenience:

A. Subjecting professional baseball (and other team sports) to the antitrust laws without any exemptions was rejected at an early stage, since there is widespread agreement, among apparently disinterested observers as well as industry spokesmen, that the result would be to spoil the game and wreck the business. It was, therefore, concluded that some restraints on competition were justified by the peculiar economic conditions of professional team sports. This conclusion is borne out both by theoretical considerations and by the historical experiences of American baseball which led to the adoption of uniform player contracts and other restrictive practices.

B. Exempting professional baseball (and other team sports) from the Federal antitrust laws altogether was also quickly rejected, since a blanket exemption would condone a number of restrictive practices which are almost universally condemned as abuses. (The most flagrant are the division of markets, the exclusion of potential competitors, restrictive broadcasting agreements, and player blacklisting.) This "solution" also seemed contrary to the long-standing policy of establishing either competition or governmental control as the ruling principle of each area in the American economic system.

C. The intermediate solution of qualified or limited exemption from the Federal antitrust laws was therefore adopted. This left open the questions of scope—i. e., what specific practices should be exempted—and of means:

1. As to scope, it was decided that the Federal antitrust laws should apply generally to professional team sports, except for such reasonable agreements and practices as were necessary either to promote equality of playing ability among different clubs or to maintain public loyalty and confidence. The specific results of applying this general principle are spelled out in the "Discussion" section of this report.

2. As to means, three main alternatives have been proposed in previous discussions of this subject:

(a) A comprehensive and detailed statutory code of conduct. This was considered impractical. Such a code would require superhuman foresight and would necessarily be extremely long and detailed. Furthermore, in the absence of superhuman foresight, it would need to be revised continually.

(b) A Federal regulatory commission. Although a formally acceptable solution, this was soon rejected in view of probable administrative difficulties and the almost universal expectation of strong public disapproval.

(c) The third alternative of a statute couched in relatively general terms, to be applied by the courts, was therefore adopted. Within this framework, specific types of restraint were classified as wholly exempt, exempt unless unreasonable, or violations per se—in accordance with their tendency to lessen competition, on the one hand, against their contribution to necessary cooperation, equality of playing ability, and public loyalty and confidence.

V. PENDING LEGISLATION

Under H. R. 6876 (Mr. KEATING) and H. R. 6877 (Mr. BYRNES), the Federal antitrust laws would be amended so as to apply to organized professional baseball, football, basketball, and hockey, except with respect to the playing rules of the game, the organization of leagues and associations, contracts between leagues and between clubs fixing their rights to operate within specified geographical areas, and the employment of players. (Note that these matters would be wholly exempt.) Section 2 of each bill expressly preserves the rights of players to bargain collectively.

H. R. 5307 (Mr. HILLINGS) and H. R. 5319 (Mr. CELLER) would amend the Sherman Act alone, by adding a new section 9 as follows:

"The words 'trade or commerce' as used in any provision of the antitrust laws shall include the interstate business of organized professional baseball."

H. R. 5393 (Mr. HARRIS) would amend the Federal antitrust laws so that they would not apply to organized professional baseball, football, basketball, or hockey.

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JUNE 10, 1957.